

**‘FREAKS,’ ‘WACKOS’ AND ‘TERRORISTS’?
THE MILITIA MOVEMENT,
LEGITIMACY, AND RIGHT WING EXTREMISM IN THE
UNITED STATES**

A Case Study Analysis of the
Militia of Montana and the
Michigan Militia Corps

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ABSTRACT

This thesis seeks to understand the militia movement in the United States as a political protest movement that challenges the legitimacy of the modern State. This protest reveals the fragmentation of the political culture, leading to the formation of groups like militias that challenge legitimacy based on values. The literature on legitimacy theory has not examined types of non-compliance which characterizes militia protest against specific types of domination in a political system. By using and developing Weber's theory of Value-Rational legitimacy, this study will show that militias use Value-Rational legitimacy to challenge the nature and characteristic of Legal-Rational authority as legitimate authority. Value-Rational legitimacy as an ideal type was left undeveloped by Weber, and was absent from his typology of legitimate domination. Subsequent studies have not examined its nature or the implications for the legitimacy of the State, or the nature and objectives of political protest movements like militias. Thus, it is hypothesized that *militias challenge the legitimacy of the State as Legal-Rational authority. This form of domination is challenged with Value-Rational action as a form of non-compliance. This action corresponds to the criteria for legitimacy being Value-Rational legitimacy, based on the congruence of the value system of the political culture and governmental output.*

The nature of legitimacy as a dynamic and reciprocal process of legitimation and delegitimation has also been lacking from studies. Militias engage in a conflict with the State and ideological state apparatuses such as the media, where each uses the value system in this conflict. Thus, it is also hypothesized that *militias are involved in a conflict of legitimacy, where they seek to delegitimize the government and legitimize themselves through the use of the political culture, and through the use of specific tactics and strategies.*

To test the hypotheses, a qualitative approach to research and analysis was utilized in this study. The Militia of Montana and the Michigan Militia Corps are used as case studies, interviews are conducted with the leaders of these groups, and content analysis is used to analyze these interviews, militia materials and government documents. The objective of this study is to explore and understand the value conflict

that defines militia protest, how legitimacy is perceived and challenged by militias, and how militias are challenged as legitimate political actors. From this, we can understand how to appropriately deal with militias who are engaged in a conflict over legitimacy. It is concluded that the militia movement is a style of extremist protest which uses Value-Rational legitimacy as the values of political culture, as well as specific strategies and tactics to legitimize the movement and delegitimize Legal-Rational authority. It is also concluded that the key to appropriately dealing with militias as political actors is recognizing the movement as a political protest, to focus on the grievances that can be addressed in a political forum, and to understand the unresolved political issues that led to the emergence of the movement, such as revisiting the grievances surrounding Waco.

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INTRODUCTION

After the bombing of the Alfred P. Murrah building in Oklahoma City on 19 April 1995, the militia movement became associated with terrorism and right wing extremism. From the time of the bombing, the movement has been portrayed as a 'sinister' new development in American society of 'armed and dangerous' citizens who hold right wing extremist beliefs, wanting to go to 'war' with the government. These perceptions are based on the assumptions that the militia movement was responsible for the bombing because of 'militia' rhetoric and beliefs, to which the alleged bombers, Timothy McVeigh, Terry and James Nichols supposedly subscribed. These men were reported to have been members of a militia organization, or to have attended militia meetings. Suddenly the militia movement became responsible for the words and deeds of these three suspects without a rational and systematic analysis of the facts regarding the bombing and the militia movement.

The fear and scorn directed at the militia movement as a right wing extremist group, while not new to the American political scene, demonstrates a fascinating phenomenon of reactions and political responses towards extremist or marginal groups in the 1990s. As Laird Wilcox (1995: 39) states, "not since the red scare of the 1920s has a political minority been under as much hostile scrutiny as the right wing militia movement is today...the media linkage of the Oklahoma City bombing with right wing politics has the makings of a witch hunt on a scale we haven't seen since Joe McCarthy." From the highest levels of government, where Clinton stated in a speech after the bombing that militias were "dark forces" coming to destroy America (McManus, 24 April 1995: 1), to the 'man on the street', where militias were being called "baby killers" by citizens (Wilcox 1995: 39), the condemnation of the movement appeared to be unanimous.

The association of the militia movement with the Oklahoma City bombing was a damning indictment on a movement which had not been analyzed regarding the facts, but on the fears and assumptions surrounding terrorism. The association of militias with terrorism has caused anger, scorn, resentment and fear towards militias and the militia movement.

Reactions to the militia movement have been dictated by the response to the bombing. The proliferation of proposed or created anti-terrorism legislation and anti-

militia legislation was based on the perceptions surrounding the militia movement.¹ However, the facts demonstrated that the connection of the movement to the bombing was inaccurate: “federal investigators have found no evidence linking the bombing to any militia group, the crime has focused attention on the militia, or as it is also called, patriot movement and its potential for violence” (Witkin 1995: 37). While Timothy McVeigh and Terry Nichols were reported to have attended a couple of Michigan Militia meetings, what was not widely publicized was that they were kicked out of a militia meeting due to their extreme and incompatible views:

So the media told us that the FBI’s [Federal Bureau of Investigation] primary suspect, Timothy McVeigh, and his two alleged co conspirators, Terry and James Nichols, had some kind of association with something called the Michigan Militia. Then they gave us hours of [television] coverage on what they repeatedly described as an extreme right wing, anti-government armed and dangerous group of paranoid Americans. Never mind that the leaders of these two different militia groups in Michigan insisted that the suspects were not members of any militia group, and indeed they had been ejected from a meeting because of their extreme and violent talk (Tanner 1995: 43).

The Oklahoma City bombing was fashioned on the white supremacist novel, the *Turner Diaries* (Macdonald: 1978); the manifesto of the white supremacist group, The Order. As a result, the media equated militias with Nazi terrorists because of Timothy McVeigh and the perception and assumptions of right wing extremism, which does not delineate between the white supremacy of Timothy McVeigh and the nature and objectives of the militia movement. As a result, the emergence of a new fervor of ‘anti government’ sentiment served to stereotype the militia movement with right wing extremism, a term which is synonymous with racism, anti-Semitism and violence.

Despite the facts, or the rational analysis delineating the movement from these three individuals, the association of the militia movement with the worst act of domestic terrorism in America had a profound effect on the way in which these groups

¹ According to the Congressional Research Service Report for Congress, “approximately 32 bills have been introduced in the 104th Congress that may be regarded as addressing various aspects of terrorism” (Perl et al. 15 December 1995: 17). Major bills included the Omnibus Counterterrorism Act of 1995 introduced by Congressman Charles Schumer in February of 1995 as well as the Comprehensive Antiterrorism Act of 1995, introduced by Representatives Hyde, McCollum, Smith and Barr. The Comprehensive Terrorism Prevention Act of 1995 passed the Senate on June 7, 1995. Of the anti-militia laws, “States promulgated anti organization and anti training statutes presumably because of the alleged threat to society posed by the proliferation of private militias. The Montana State Legislature, for example, found that ‘conspiracies and training activities in the furtherance of unlawful acts of violence against person or property are not constitutionally protected and pose a threat to public order and safety” (Polesky 1996: 1609). Further, anti-militia training laws have been passed in 17 states (Polesky 1996: 1606).

were analysed and understood. As right wing extremists, militias were either dismissed as having invalid political grievances, or as the reaction to the Oklahoma City bombing demonstrated, observers overreacted, and “seized upon the [Oklahoma City] tragedy to draw parallels to the Nazi accession to power, invoking the specter of the Third Reich” (Ebata 1997: 13).

Right Wing Extremism

As this study will show, the application of right wing extremism in understanding militias is problematic. Firstly, right wing extremism has not been adequately defined in the literature. Secondly, right wing extremism is a subjective phenomenon is often used to remove the legitimacy of protest groups.

Definitions

The term ‘right wing extremism’ usually conjures up images of Nazis, and feelings of fear and repulsion because of the way it has become conventionally understood. The process by which militias have come to be defined or categorized as right wing extremists is partly to do with the lack of clarity and definitions of right wing extremism. The common usage of right wing extremism as a definition has been to associate individuals or groups with the most dangerous and frightening characteristics of extremism.

Right wing extremism “consists of many different forms. It can refer to an ideology, a form of observable behaviour, various kinds of political activities or personal attitudes and dispositions” (Ebata 1997: 13). However, the “common usage” (Ebata 1997: 13) of the term has come to define or specify particular traits in thinking and behaviour. Ideologically, right wing extremism is defined in terms of racism, anti-Semitism or ideologies of racial, religious or national superiority and intolerance. Psychologically, extremism is identified in terms of deviant, irrational or even pathological ways of thinking which lead to racism: “the extreme right pollutes and subverts the notion of truth, repudiating reason. As such it must be seen as a challenge to the Enlightenment product of rationality, tolerance and process in favor of a destructive, supremacist, racial project” (Ebata 1997: 32). Socially and politically, right wing extremism has been defined as a reaction against changes in society,

leading to alienation from the democratic process, and violation “through action or advocacy, of the democratic political process” (Lipset and Raab 1970: 428).

These understandings of right wing extremism have been used to characterize and to categorize militias with traditional and contemporary right wing extremist groups who are defined in terms of racism, anti-Semitism and violence. The militia movement has been labeled as part of a contemporary right wing extremist resurgence, or ‘patriot movement’ that describes the 1990s anti-government groups. The studies done on the emergence or resurgence of various right wing extremist groups in the 1990s have focused on Christian Patriotism² (Aho 1995), Christian Identity³ (Barkun, 1997, Kaplan, 1997) or Neo Nazis, White Supremacists, Klansmen or all of them together (Ridgeway 1990, Kaplan 1995, Bjorgo 1995, Spriznak 1995, Coates 1995, Perlstein 1997).⁴

From this association, the militia organization has been seen as a vehicle for traditional and contemporary racists and anti-Semites to participate in, providing the opportunity for the reemergence of traditional racists in new forms. Traditional right wing extremist groups in particular are seen as predecessors with whom the militias share ideology. To this end, David Hatchett believes that militias “preserve many of the old ideas of [the] white supremacist movement while maintaining a heterogeneous membership base” (Hatchett 1995: 38). Chip Berlet and Mathew Lyons comment that “militia like organizations have existed within the right for many years - in the form of KKK klaverns, the Order cell (out of Aryan Nations), and the Posse Comitatus” (Berlet and Lyons 1995: 24). Hamilton (1996) even defines all paramilitary groups in American history ‘militias’ which is not only historically incorrect, but serves to define militias by a paramilitary nature which is associated

² Militias have been defined as part of the Christian Patriot movement, which is “the largest portion of the contemporary white supremacist movement in America” (Burghat and Crawford 1996: 4). The beliefs of Christian patriotism are that “as Christians, the patriots assent to faith in Jesus Christ as savior, to the promise of salvation for all men, and the exclusive monopoly of Christian over the means of eternal life” (Aho 1995: 13). It is the Christian fundamentalism and beliefs of Christian superiority which define Christian Identity groups, and they are beliefs which completely diverge from militia ideology.

³ There are three central beliefs with Christian Identity: ‘First...white ‘Aryans’ are descendents of the biblical tribes of Israel and thus are on earth to do God’s work. Second, Identity believes that Jews are not only wholly unconnected to the Israelites, but are the very children of the Devil...Third, Identity believes the world is on the verge of the final apocalyptic struggle between good and evil, in which the Aryans must do battle with the Jewish conspiracy and its allies so that the world can be redeemed” (Barkun 1997: xi).

⁴ All of these groups are defined by an ideology of white supremacy, which is the “ideological notion of biological, intellectual, genetic or other inherent superiority of whites over all others. A White Supremacist believes that there are inherent biological differences between whites and people of different colors and or religious beliefs” (Chandler 1996: 17).

with violence and criminal activity. Similarly, Gary Perlstein (1997: 546) says that “the militias have existed for more than 25 years...like the Klan; Posse Comitatus; the American Nazi Party; the Covenant, the Sword the Arm of the Lord; the Aryan Nations; the Church of Jesus Christ Christian; the Minutemen; and the Order.” The problem is that the different movements and groups are not distinguished from each other by ideology, behaviour or any other dimension and are specified by the dimensions of white supremacy, violence and criminality.

The way we define right wing extremism determines how we react to a group or movement and as a result, “an arbitrary and unfair definition can have far reaching effects” (George and Wilcox 1992: 10). Right wing extremism has become “a shorthand label which lumps together a relatively wide range of related phenomena” (George and Wilcox 1996: 11). The categorization and application of these definitions to militias is inaccurate and represents the oversimplification of a complex phenomenon that is not determined by the traits of racism, anti-Semitism and violence. However,

It cannot be proven that the identified themes constitute the basic properties whose presence is necessary and sufficient for the right wing extremist label to be affixed. Because the themes are more suggestive than conclusive, they are not criteria at all. Hate, nationalism, anti-Semitism and violence are not unique to the right wing extremist but are shared by neo-conservatives, left wing radicals and others. Moreover, not all right wing extremists are the same; some, particularly at the political end, have moderated their positions to achieve other objectives (Ebata 1997: 18).

This study will expose the multifaceted and complex nature of right wing extremism to gain a more accurate perspective of the militia movement. The way militias have been categorized or defined as right wing extremists says nothing about their political nature, but a reflection of the perception of extremists. John George and Laird Wilcox stated that

A common error in dealing with extremists is to assume that if two or more extremists are alike in some respects, they must be alike in all or at least most respects. This fallacy of stereotyping is structurally similar to ethnic or religious prejudice, where an observation that “they’re all alike” is a recognizable slur. We make the case that extremists only tend to have certain behavioural traits in common, and that they represent relative inclinations. By no means are they absolute criteria (George and Wilcox 1996: 10).

These perceptions lead to stereotyping of extremists which has been applied to militias. However, the application of the label of right wing extremism is also a reflection of this stereotyping.

Right Wing Extremism and Labeling

Right wing extremism is an emotionally laden and subjective phenomena often used to discredit the political validity of objectionable groups. The application and use of the term right wing extremism also reveals a social and political process at work. Right wing 'extremism' is more a subjective label than a categorically distinct and operational term in the current literature. It is a label applied to remove the legitimacy of a group or movement. As a complex and subjective phenomenon, what is 'extremism' to one party is moderate to another: "whether or not a position on the spectrum is considered extreme depends on who is making the judgment" (Barnette 1972: 11).

In this study, the militia movement is examined as a political protest movement that is not defined by racism, anti-Semitism or terrorism. This does not mean that those traits do not exist in the movement and may be exhibited by individuals within the movement, but that the movement cannot be defined by those traits or tendencies. The treatment of militias as right wing extremists in terms of the 'common usage' of right wing extremism removes the understanding of the movement defined as a political protest against the legitimacy of the State. Rather, militias need to be defined in terms of their political protest nature. This is not only because defining the movement in terms of right wing extremism in these terms is inaccurate; defining the militia movement as a political protest movement is also required to understand the nature and objectives of the movement. To do so requires an analysis from a political perspective. This perspective also reveals the process by which the militia movement is vilified and labeled as part of a conflict over legitimacy.

Protest

The way in which the militia movement has become associated with the Oklahoma City bombing has tended to disregard the political nature of the group and

has predisposed analysis of the movement to prejudicial assumptions, agendas and misperceptions regarding right wing extremism. In order to understand the militia movement, it needs to be studied as a political protest movement that challenges the legitimacy of the modern State.

As protesters, militias are “attempting to alter the representation system, public policies, or the relationships between citizens and the State” (Jenkins and Klandermans 1995: 6). The basis of the protest of militias can be understood by an examination of the role of values in protest. Social movement literature has tended to neglect the importance of understanding values in relation to social movements and the basis of the protest. To this end, Snow et al say that the literature has been lacking in the interpretation of grievances “and other ideational elements” (1997: 235) such as values. According to Jan Pakulski, social movements are defined by their value orientation because they “refer to general values...they implicitly call for action aiming at the vindication of these values and principles” (Pakulski 1991: 61). The objective of protest, according to Pakulski, is to “vindicate and affirm moral principals and central social values seen as threatened by neglect, distortion and corruption” (Pakulski 1991: 61). The types of social movements which have emerged to restore values do so primarily through educating the public (Pakulski 1987: 134).

The protest behaviour of militias is also characterized by their use of tactics and strategies. As this thesis will demonstrate, the protest behaviour of militias is also defined by the use of the ‘militia’ as a political organization and as an ideal or symbol of protest against illegitimate authority, and as an extra-institutional means of expressing and drawing attention to grievances to affect change.

Defining Militias

In this study, militias are defined as protesters in a movement that highlights their protest behaviour and characteristics. In terms of their political nature, militias have been defined in the following ways:

- Castells et al (1996: 3) define the militia movement as “self organized citizens armed to defend their country, religion and freedom.”
- Barkun (1997: 271) defines militias as “locally based privately armed groups that posses a command structure, engage in military training or exercises, and claim to

fulfill essential public functions: protection of the community against ‘tyranny’, assertion of the right to bear arms, and defense of the Constitution.”

- Hamilton (1996: 2) defines militias as “formal, structured, private organizations of armed citizens that declare themselves militias and engage in paramilitary training session or preparedness meetings.”

These definitions have aspects that are important in identifying and defining the characteristics of militias. However, they do not make important distinctions that are crucial to understanding the militia movement. Firstly, these definitions do not distinguish between militias that conduct paramilitary training, and those that do not. Some militias declare that they are purely educational, while also being a militia. Militias can be understood in terms of the symbolic use of the ‘militia’ as a means of protest, which does not necessitate actual training. The militia movement is a type of ‘new social movement’ predicated on ‘educating the public’ (Pakulski 1987: 134). Secondly, these definitions do not consider militias as political associations or organizations whose purposes are to educate citizens about political issues pertaining to governmental behaviour and policies. They are political associations that disseminate information and may or may not conduct paramilitary training. Thirdly, definitions of militias must also account for the historical context in which the militia organization is used as a symbol and ideal. Fourthly, the identity and characteristics of militias in terms of the principles of survivalism and preparedness also needs to be highlighted.

To this end, militias can be defined in terms of their nature of protest and the basis of their protest as:

Privately organised, political associations who call themselves militias and who claim to fulfill a defensive function against perceived threats to American values and undertake a preparedness role for the community. They have a declared political objective to restore the Constitution and governmental legitimacy and who may conduct paramilitary training to this end. The use of the term ‘militia’ serves as a symbolic means of expressing grievances and protest against illegitimate authority.

Legitimacy

The protest of militias can be understood by looking at values as the criteria for legitimacy. As a value-based protest, the challenge to the legitimacy of the State is based on the perception that values have in defining legitimate authority. Theories of legitimacy have tended to underestimate the importance of values in securing legitimacy. According to Peter Stillman, a government is “legitimate if and only if the results of the governmental output are compatible with the value pattern of the society” (Stillman 1974: 39). Stillman’s definition is the most appropriate definition of legitimacy for understanding the basis of the protest by militias. It explains that a “government is legitimate when it protects and enhances the values and norms of its citizens, when it preserves and expands their culture, and when it behaves itself in foreign affairs” (Stillman 1974: 48). Further, legitimacy “assures society and its members that what they think important and valuable will not be contradicted or subverted by the government, and that their value patterns will be respected, maintained and properly enhanced” (Stillman 1974: 43). What this means is that for legitimate authority, the behaviour and policies of government, or governmental output, must match the values of society. Governmental output “includes not only the promulgated law but any action of the government that has an effect on the society” (Stillman 1974: 39). It is the “results of the impacts of governmental output” (Stillman 1974: 39) and the perception of that output which is significant, according to Stillman. The perception of legitimacy need not be based on popular opinion, and as a result, Stillman does not confine the definition to the society as a whole, and states that

Legitimacy cannot be limited to compatibility only with the value pattern of society; the results of governmental output may be compatible or incompatible – and the government thus legitimate or illegitimate, - with reference not only to the value pattern of society but also to the value patterns of groups within that society, the value patterns of individuals and the value patterns of other societies (Stillman 1974: 42).

Thus, Stillman’s definition of legitimacy can be “transformed into a subjective definition” (Stillman 1974: 51) based on the perception of legitimacy, “where the perceiving is done by a reference group chosen by the social scientist” (Stillman 1974: 51), allowing an understanding of legitimacy from the perception of groups like militias.

The value pattern is defined by Stillman as “the generalized criteria of desirability, the standards for evaluation, the normative priorities, for the society” (Stillman 1974: 40). As specific values are contextual and specific to a culture, the examination of legitimacy according to this definition will focus on the political culture of the United States as a system of values.

Thus, militias are protesting the legitimacy of the State based on the incongruence between their perception of governmental output and the values that define legitimate authority. For example, events like the sieges at Ruby Ridge and Waco, and legislative policies concerning gun control, such as the Brady Bill, are seen by militias as governmental output which is incongruent with the values of American society, and will be discussed further in this thesis. Thus, the emergence of the militia movement is indicative of a conflict over values, manifesting itself on the political margins of society, defining the nature of that conflict as one over legitimacy.

Organization of Study

Chapter One

The basis of the protest against the legitimacy of the State is values. As a protest movement, militias draw attention to the illegitimacy of authority, based on the perceived loss or neglect of values by the State. The explanations for this loss are located in perceptions of legitimacy in a cultural or political context. As a value oriented protest, the emergence of the militia movement represents a conflict over the values of the American political culture. These values define the criteria for legitimacy. Thus, this chapter focuses on political culture and legitimacy.

Firstly, political culture is defined as a value system of beliefs, symbols and rules. By examining the political culture as a value system, the basis of the protest is defined by a conflict over the value of that culture, leading to legitimacy challenges. The militia movement is symptomatic of the incompatible or alternative perceptions of legitimacy, or fragmentation. What will be shown is that the way militias ‘think’ and perceive legitimacy is related to their fragmentation. Further, this fragmentation and modern style of protest exhibited by militias is one where they challenge modern

political authority using the American political culture with the objective of value restoration. The militia movement is a type of protest that utilizes the same values that define legitimacy in the American political culture to justify disobedience, using symbols, beliefs and norms to challenge the State.

Secondly, political culture is examined in terms of the structure of social action that explains types of legitimacy, and patterns of domination and obedience in that culture. Legitimate authority exists in different forms of domination. The type of legitimacy challenged by militias needs to be understood in terms of the nature and characteristics of the modern State as it is perceived by militias. The militia movement as a protest movement challenges the nature and character of the modern State and the type of legitimate authority the modern State has come to be associated with.

Various explanations of legitimacy and modernism have sought to locate protest reactions to modernism or modernist values, such as 'legitimacy crisis' theories, or the emphasis on substantive values over pragmatism, and postmaterialist values over materialist values.⁵ Further, modern protest is seen as a reaction to the end of the Cold War (Dority 1995; Tanner 1995) and the "loss of our negative pole of orientation" (Bloom 1989). Also, with the end of the Cold War, studies detail the subsequent need for an new ideological threat or enemy (Aho 1994; Bennett 1995; Swomley 1995). Changes in the international environment in terms of globalization have placed protest in this context (Castells et al 1996). These theories explain the reactions to modern authority as one of alienation and anomie from political institutions and legitimate authority because of how the State has neglected values.

According to most of these theories, the modern State is seen as a rational bureaucratic law making machine that people feel alienated from, characterized by its behaviour which stems from this type of administration defined by rationalism,⁶

⁵ Materialist values are those which give "top priority to economic and physical security" (Inglehart 1990: 47) and define economic goals as opposed to postmaterialist values which emphasize "the quality of life" (Inglehart 1990: 47) and non-economic concerns (Layman and Carmines 1997: 751). This is a reflection of American politics "becoming more 'cultural' or 'value based'" (Layman and Carmines 1997: 571).

⁶ Rationalism is the "process by which explicit, abstract, intellectually calculable rules and procedures are increasingly substituted for sentiment, tradition and rule of thumb in all spheres of society" (Pekonen 1989: 129). The rise of the bureaucratic State is seen as a direct result of rationalization, and with it came the disenchantment with the impersonal structure of authority.

secularism⁷ and technocratization.⁸ With the modern State, there is

the urge to replace the visible with the unseen hand. Personal and visible power and leadership decline, supplanted by impersonal, anonymous and automatic mechanisms of control and coordination. Overall, we are confronted not with a situation of power without authority...that is part of it, but with a situation of the autonomy of process" (Schaar 1989: 33).

The association of the modern State with this loss has led to legitimacy protests by groups in society: "...one way to describe the crisis of legitimacy is to say that the basic features and tendencies of modernity have produced a situation in which the established processes and formal structures of control are at war with the conditions necessary for authority. In this battle, legitimacy is destroyed" (Schaar 1989: 43).

For militias, this legitimacy crisis is defined by the perception that legitimate authority is divorced from the exercise of power, and the modern State is increasingly defined by its power at the expense of values. The perception of legitimate authority and values by groups in society has been shaped by changes in the international and domestic environment. The militia movement as a protest movement has manifested itself as part of a global protest trend towards globalization and interdependence. As part of this trend, movements have emerged which seek to combat the control of the central State (Castells et al 1996). This type of protest characterizes the perception of the international and national environment by militias. Further, the grievances of militias are not related to the changes per se, but what the loss of values which define legitimate authority is predicated upon such as sovereignty and national identity. The reactions by groups in society to these developments has been to protest and form groups like militias, which can be recognized as symptomatic of political grievances pertaining to legitimate authority. These grievances are expressed as a reaction against modern authority, which is understood as the interdependence between local and global domination. In this way, militias are part of a global trend, where political protest in the modern world is being manifested increasingly in extremist forms and styles, but being specific to a cultural context.

⁷ Secularism is another characteristic of modernity and the modern State, and it is "the process whereby men become increasingly rational, analytical and empirical in terms of political action" (McLeod 1991: 107).

⁸ Technocratization is "a complex, multidimensional process by which legal reasoning and institutions incorporate scientific technical reasoning and institutional forms (Stryker 1994: 859).

While these theories explain reactions to modernism, they are not adequate to understand the militia movement as it pertains to legitimacy and protest. It is with Weberian theory that the values and protest against legitimate authority becomes clear, which this thesis will develop to understand the militia movement. Weber dedicated a considerable amount of time to the question of legitimacy as it pertains to the nature and character of the modern State and the 'crisis' it would present to legitimate authority. The legitimacy theories of 'legitimacy crisis' built on Weber's concerns of the modern State and the reactions to modernism. However, these theories need to account for the nature and characteristic of modern authority as it pertains to values.

From this understanding of legitimacy as the congruence between governmental output and the value patterns of a society as perceived by the group being studied, chapter one develops Weber's theory of Value-Rational legitimacy. This is in order to understand how legitimacy can be theoretically understood and how militias perceive and challenge the legitimacy of the State. Chapter one details Weber's legitimacy theory that centers on values and this theory also explains the behaviour of militias in terms of their motivated behaviour as a type of protest behaviour, which also corresponds to the criteria for legitimate authority. Weber discussed Value-Rational legitimacy as a type of legitimacy, and treated it with significance and importance in the debate about legitimacy and the modern State.

However, Weber left it conspicuously and mysteriously absent from his typology of Legal-Rational, Affectual and Traditional authority. David Beetham states that Weber "explicitly excludes it as a form of legitimacy which had appeared earlier...the belief in the ultimate legitimacy of substantive values" (Beetham 1985: 265). What is fascinating and critical to the study of legitimacy is the lack of analysis of this type of legitimacy in the literature. While writers have speculated as to the identity and absence of Value-Rational legitimacy, they have not examined the concept to any significant degree. It still remains a mysterious and unexplored type of legitimacy. Chapter one will explore this type of legitimacy to understand the militia movement.

The following descriptions are of the key terms and perspectives taken towards legitimacy in chapter one.

The State - This thesis will take a multidisciplinary perspective of the State in order to demonstrate how militias challenge legitimacy. The State is discussed in three

different senses in this thesis, often simultaneously. Firstly, the State is seen as the institutional expression of power in a structure of administration and bureaucracy. In this sense, the State is what Weber described as a mechanism of domination and control. The State “possesses an administrative and legal order subject to change by legislation, to which the organized corporate activity of the administrative staff, which is also regulated by legislation, is oriented” (Stepan 1978: xi). This description of the State is important to understand the way the militias evaluate the legitimacy of the State. As an example of Weberian types of domination, the way militias perceive legitimacy is characterized and defined by the nature and the type of domination that is accompanied by bureaucratic administration. However, the State must also be understood in terms of its characteristics as an institution and administration, for this not only describes the type of Legal-Rational domination that has come to define the modern State, but the way the State acts within this structure of social action.

Secondly, the State, according to statist theories, “can be treated as an actor in its own right” (Krasner 1984: 229). The State can serve an ideology, which is enforced through its ideological State apparatuses, or through repression, through means of legal control and domination. Politicians and bureaucrats can be seen as acting to pursue “particular State goals” (Krasner 1984: 229) and as defending the legitimacy of the State. This ideology “is embodied in the State apparatuses. One of their functions is to elaborate, inculcate and reproduce that ideology (Poulantzas 1978: 32). The actions of the government and its output are synonymous with the examination of the State as an actor: “every State has a government that embodies the power of the State and decides in its name. Although the government is distinct for the State, roles tend to fuse the interests of the State and the governors, or the people pervert the State...” (Lentler 1984: 368). The description of the State as an actor serves the purpose of understanding how the State is involved in a conflict with militias, and has strategies and tactics which are aimed at militias in order to delegitimize them.

Thirdly, the State is also the site where legitimacy is contested, the “arena of social conflict” (Rueschemeyer and Evans 1985: 47). In this way, groups in society try to “use the State as a means of realizing their particular interests” (Rueschemeyer and Evans 1985: 47). The ‘State’ also describes the political system in which the government, the ideological State apparatuses and the militias interact and contest their legitimacy. Further, it is the embodiment of the symbols, beliefs and rule of the political system, and therefore the medium of value expression for the “universal

interests of the society over which it has jurisdiction” (Rueschemeyer and Evans 1985: 47). These roles and characteristics of the State can be contradictory (Rueschemeyer and Evans 1985: 48), but which help to explain why the State can be different things at different times, and which pertain to a legitimacy conflict. This treatment of the State is important to understand the political system in which the conflict over legitimacy takes place. How the State defines the context in which militias seek to affect change, and how militia input and governmental output are understood by those within the political system, and by militias themselves.

In all these senses, the State will be discussed in terms of how militias perceive the State in terms of these roles and characteristics. The State will be discussed in terms of the types of domination and administration corresponding to the social action of personnel which relates to the type of domination perceived by militias. Further, the State will be examined as an actor in a conflict with militias, and in terms of its actions towards militias involving tactics and strategies. Also, the State will be considered as an area of social conflict in which the militias contest for legitimacy and political opportunities that are defined by the State as an area of negotiation.

Legal-Rational authority – Legal-Rational authority describes the type of legitimate authority discussed by Weber. In terms of administrative structures, the Legal-Rational State is seen as a bureaucratic administration and apparatuses of ideological and repressive control. In terms of the State as an actor, the State is motivated and acts in Instrumentally-Rational ways. With Legal-Rational authority, there is a correspondence between Instrumentally-Rational social action and legitimacy. As the site of conflict, the State represents the conflict between Value-Rationality and Legal-Rationality.

Value-Rational social action – Value-Rational action is behaviour motivated by, and oriented to, values. The Value-Rational actor proclaims that their behaviour is undertaken regardless of the costs to the actor. In terms of domination and compliance, Value-Rational action is a form of non-compliance to Legal-Rational authority. Disobedience in the form of Value-Rational social action is indicative of the incongruence between the values of society and governmental output.

Value-Rational legitimacy – This type of legitimacy is based on the values of the political culture as demonstrated in governmental output. Legitimacy based on the criteria of values is evaluated in terms of governmental output and the perception that the government is preserving, maintaining and following the values of the American political culture in terms of beliefs, symbols and rules. The State is the representative of values of society, and as such, its role is to be the higher expression (Barker 1990: 51) of these values for legitimacy. What this means is that as a representative of the values of society, the State must articulate or express these values. The government must be seen to follow or uphold these values in order to have legitimacy. Militias evaluate government behaviour and policies in terms of the neglect, distortion or lack of adherence to values that guarantee legitimacy and compliance.

Governmental Output - As defined by Stillman (1974) governmental output is the behaviour and policies of the government, but it includes anything the government does that has an effect on society or groups within that society, including anything said or done. Thus, the actions of the State, through its representatives, becomes meaningful in the context of domination and compliance. Militias judge this illegitimacy through governmental output – behaviour and policies - which demonstrates that such output is no longer congruent with the values of the American political culture which defines the obligations and ideals, operating norms and rules, symbols and beliefs which define legitimacy of the political system and which the government must adhere to. The perception of the congruence refers to how the government upholds, adheres to, communicates and represents, or is the medium of expression for the values of society.

Chapter Two:

Chapter two explores legitimacy as a process of legitimation. In this chapter, legitimacy is conceived of as a conflict that involves an active process of eroding or creating legitimacy. Legitimation describes a reciprocal process of actions by social movements and the State by which legitimacy is created for the actor in the conflict. Delegitimation is the active process of making something illegitimate, by denying or destroying the legitimacy (or the appearance of legitimacy) of the opponent.

To understand the protest of militias, it must be understood that legitimacy is also dynamic. As a conflict, the protesters challenge the State, and the State also challenges the protesters. Both are involved in a process whereby each seeks to delegitimize the opponent through various strategies and tactics. The State uses specific tactics and strategies towards the militia movement. The labeling of militias as deviants, criminals or extremists becomes a tool to delegitimize militias.

Social movement theory and the relationship of protest to the process of legitimacy are explored to understand the militia perspective of this conflict. As a social movement, militias challenge the State based on the values of the political culture. The use of the militia as a means of protest highlights the nature of the protest behaviour of militias, their grievances, and the way the militias use the political culture and specific strategies and tactics to delegitimize the State and legitimate their protest.

The following key terms briefly described here are used in chapter two.

Legitimation – the process of making something legitimate which, as an aspect of conflict, occurs simultaneously with delegitimation, or the process of making something illegitimate.

Strategy - is connected to the ideology, or objectives of the movement. Strategy also describes “the use of tactical moves to approach the...ideological objectives” (Herbele 1951: 359) to achieve those objectives.

Tactics – this term describes the specific maneuvers or actions designed to achieve objectives.

Conflict – the term ‘conflict’ is repeatedly used in this chapter (and thesis), which describes the nature of the legitimation process. The use of the word is meant to highlight the dynamic nature of the process; the conflict can escalate and deescalate, and as a conflict, can be managed or resolved based on conflict resolution principles. Also, as a conflict, there are a number of psychological, behavioural and attitudinal aspects to a conflict, which determine its direction and resolution. While the application of conflict resolution theory is beyond the scope of this study, the use of the terms are meant to indicate the conflict aspects of the process of legitimation.

Social or protest movement – the movement against authority in order to vindicate or restore values that are perceived to be lost, seeking to cause (or resist) change (Pakulski 1991) in terms of policy, representation, or citizen-State relationships.

Chapters Three and Four

Chapter three outlines the theoretical framework and applies it to two militia organizations: the Militia of Montana (M.O.M.) in chapter three, and the Michigan Militia Corps (MMC) in chapter four. These two chapters provide a qualitative approach to research and analysis. This approach includes case studies analysis, interviews and content analysis.

Case Studies Approach

A case study approach was used because it serves the purpose of evaluating the differences between two groups considered to be organizational models for the rest of the movement. By examining these two groups and discovering the individual differences between them, the objective is to discover what those differences reveal about the movement in terms of the hypotheses. The case study approach is also necessary for the volume of material and in-depth analysis required of these cases.

Two militia groups were chosen as case studies according to the following criteria. Firstly, they both conform to the definition of a militia through their objectives and nature. The two groups differ in that the Militia of Montana represent the purely educational and political association, while the Michigan Militia Corps represent the educational and political association that conducts paramilitary training. These differences represent the two different roles within the movement.

Secondly, the Militia of Montana and the Michigan Militia Corps were chosen because they were the first groups to emerge in the movement. As such, they are the best examples of groups in the movement. The emergence of the Militia of Montana and the Michigan Militia Corps set a precedent for the identity of the movement, serving as organizational, and ideological models for other militia organizations.

Thirdly, these groups were chosen based on the criteria of accessibility. The literature of the group had to be accessible, the leaders of the groups had to be vocal and willing to articulate and represent the views of their group. Further, as two of the largest groups within the movement, they disseminate more material, and have gained more attention by the media, government, and researchers.

Interviews

The interviewing schedule was constructed to be open-ended, meaning that the interviews were without fixed questions or answers. The interviews were conducted both face-to-face at a "Preparedness Expo"⁹ in San Diego, California, and over the telephone, using a tape recorder. Also, various lectures and panel discussions were observed at the Preparedness Expo which were relevant to the study of the militia movement.

Interviewing was considered to be a necessary research method for this study for several reasons. Firstly, there have been few, if any academic studies which have interviewed militia leaders and analyzed this type of primary data. Most articles or newspaper stories that have examined the militia movement have relied on opinion and recycled quotes of militia movement leaders. Often, these quotes have proved to be inaccurate. Secondly, it was felt that the interview schedule would produce results that were necessary for the validity of conclusions, as questions were geared towards hypothesis testing. Thirdly, it was felt that interviews would also provide valuable information and insight about the nature of the leaders, their groups, and the militia movement in the form of non-verbal messages, body language, and the tone of subjects interviewed. Lastly, it was felt that militia leaders would be more responsive to interviews because of how they value open communication and the formal interviewing process. To this end, it was felt that questionnaires would not be received as well and would not have produced as much valuable material as open-ended interviews.

⁹ The Preparedness Expo was held over three days, from 27 February 1998 to 1 March 1998. See Appendix One for the advertisement of the Preparedness Expo.

Content Analysis

Qualitative or interpretive content analysis was utilized to understand the meaning of militia messages and statements and to test the hypotheses from militia materials. This was done for several reasons. Firstly, the nature of the materials was such that the content could not be rigidly standardized or measured quantitatively. Rather, a more flexible approach was required to understand the content and to draw meaningful inferences from such detailed content. Qualitative content analysis, with its emphasis on insight (Krippendorff 1980) was especially appropriate for this study due to the nature of militia materials and militia movement propaganda. Such material required an insightful approach to understand not only the manifest, but also latent meaning of the content. The concern was not with the frequency with which certain characteristics appeared, but what messages meant in the context of the body of material being studied. Secondly, qualitative content analysis was felt to be the only appropriate method for case study analysis and interviews. The detail and nature of the material required this type of qualitative analysis precisely because these cases were affected in qualitatively different ways. Further, the variances and nuances of statements or the words within those statements could not be analyzed or measured quantitatively. Such statements must be taken in context, and had to be evaluated based on the entire message given.

In terms of militia sources, the Militia of Montana produce a plethora of material used in the content analysis, including a newsletter entitled *Taking Aim*,¹⁰ as well as videos, book lists, and audio tapes. John Trochmann, co-founder and leader of the group, was interviewed during the “Preparedness Expo” in San Diego on 1 March 1998. The Michigan Militia Corps do not sell materials, but the group posts a weekly internet update¹¹ which discusses a range of political issues. Tom Wayne, the Executive Officer for the group, was interviewed by telephone on 3 July 1999.

Conclusion

The final chapter will discuss the results of the case study analysis using the theories presented in this thesis. Further, recommendations and predictions regarding

¹⁰ See Appendix Two for the title page of the *Taking Aim* newsletter.

¹¹ See Appendix Three for the homepage of the Michigan Militia Corps.

the militia movement and what the movement indicates in terms of right wing extremism, protest and legitimacy will be discussed.

Objective of Study

Due to the preconceptions, fears and biases regarding the militia movement, subsequent research and analysis of it has not been able to demonstrate the political basis of the movement as one of protest against the legitimacy of the State.

The objective of this study is firstly to understand the militia movement in relation to conceptions of legitimacy: not only how militias challenge the legitimacy of the State, but how they are challenged as legitimate political actors. As such, this study will explore the value conflict that defines the challenges to the legitimacy of the State. As a movement, the basis of their protest is understood in terms of value restoration and vindication. This study will also explore how the militias use the 'militia' as a political organization, and as a means of protest. Militias, like any political actors, can highlight the nature and relationship between State and society, and the way that perceptions of legitimacy are evolving or being challenged by marginal groups. This study will explore the beliefs, perceptions and expectations militias have regarding the ideals of the American political system, as well as the perceived obligations and demands placed on the State by militias, and the changing nature of legitimate authority and the impact on groups like militias.

Secondly, the objective of this study is to understand the nature of legitimacy as it is perceived and challenged by militias. This study develops the notions and theories of legitimacy to understand the militia movement as a protest movement. By examining the militia movement, this study will explore how marginal groups contest legitimacy. Different and competing forms of legitimacy and different patterns of obedience or disobedience are highlighted by militias. The protest by militias is a type of social action that corresponds to their perceptions of legitimacy. By using and developing Weber's theory of Value-Rational legitimacy, this study will show that militias use an alternative form of legitimacy or what Juan Linz would call an alternative "legitimacy formula" (Linz 1978: 93) that challenges the nature and characteristic of legitimate authority as Legal-Rational authority.

Thirdly, the objective of this study in understanding the militia movement is to know how to deal with it in the most appropriate manner. How marginal groups like militias are understood dictates the responses to such groups, and how the rights and liberties, or access to the political process for such groups is respected and maintained in accordance with the principles, values and laws of American society which guarantee such rights and liberties. This study is about understanding the perception of political action from the different perspectives of legitimacy and what extremism and 'tolerance' really implies. This study also helps to understand the decisions behind using repressive measures against such groups and the possible repercussions of doing inappropriately.

In order to prevent violent protest and interaction, marginalization and repression of valid political grievances is not the most appropriate response for such groups. This is because such treatment can escalate violence, it can unfairly dismiss legitimate grievances, and obscure valid, and even valuable, criticism. Further, in terms of respecting civil liberties, the reactions towards militias as a result of the Oklahoma City bombing also requires a closer analysis of the respect for the democratic process, and the rights of political association and expression. Also, the way in which militias have been associated with extremism has served as a justification for their exclusion or repression, based on the misperceptions that militias are invalid political actors with illegitimate grievances. Rather, this study seeks to examine how right wing extremism is applied as a label to militias to remove their political legitimacy, and what this indicates about legitimacy and conflict.

Finally, it must also be said that in examining legitimacy and the process of legitimacy, the objective of this study is not to legitimate the movement, condone or vindicate their beliefs or protest behaviour. But it also does not condemn the movement. While it may appear in taking this approach towards understanding legitimacy that this study sympathizes with the movement, this is not the intention. The objective is to understand the nature of legitimacy and the process of legitimacy. This approach does not seek to automatically deny the political validity of types or styles of extremist expression as a means of protest and concern as the subject of only suppression. The approach of this thesis, in relation to militias, is to explore the balance society must maintain between civil liberties and the restrictions imposed on groups who are feared and disliked and who are defined as 'right wing extremist' and terrorist based on perceived behaviour and beliefs.

CHAPTER ONE

POLITICAL CULTURE AND LEGITIMACY

This thesis introduced the militia movement as a political protest movement that challenges the legitimacy of government behaviour and policies. This protest is concerned with values, where legitimacy is understood as the congruence between values and governmental output. The purpose of this chapter is to further understand the nature of legitimacy, and how it is challenged on the basis of values, which defines the protest of the militia movement. This chapter provides the context for understanding this protest and how militias evaluate and challenge governmental legitimacy based on specific values that define legitimacy for the State. This chapter will be structured as follows. Firstly, political culture is discussed as a value system of beliefs, symbols and rules which define legitimacy in the American political context. Conflict in the political culture leads to oppositional legitimacy formulations and fragmentation in the political culture over values. Secondly, political culture as oriented social action is detailed using the theories of Talcott Parsons and Max Weber. What is shown is that oriented social action, which demonstrates the motivations for compliance and non-compliance, determines how legitimacy is defined and challenged. The political system is a structure of domination and compliance, where oriented social action indicates the motivations for compliance or non-compliance and where legitimate domination takes specific forms. For the militia movement, the motivations for non-compliance are Value-Rational; the militia movement challenges Legal-Rational domination using an alternative legitimacy formula of Value-Rationality.

Political Culture as a Value System

Political culture is a nebulous concept with various aspects. Political culture “defines legitimacy for a society” (Schmidt 1988: 77) in how it determines the parameters of acceptable actions and “range of demands” (Schmidt 1988: 77) within a political system. Political culture explains how individuals relate to their political

system, how individuals come to evaluate legitimacy, and how behaviour is structured in a system of domination and compliance. To this end, political culture is most comprehensively defined as

The set of attitudes, beliefs and sentiments which give order and meaning to a political process and which provide the underlying assumptions and rules that govern government behaviour in the political system. It encompasses both the political ideals and the operating norms of a policy. Political culture is thus the manifestation in aggregate form of the psychological and subjective dimensions of politics. A political culture is the product of both the collective history of a political system and the life histories of its members of that system and thus it is equally rooted in public events and private experiences (Patrick 1984: 266).

Political culture gives meaning to relationships and procedures, and defines the purpose of the political system. It determines the way members of a political system relate to authority and to each other. This meaning is shared, so that obedience or disobedience becomes meaningful in relation to the nature of legitimate authority, the political system, and the way members of that system can participate in the political process. It is through the values of a culture that the political system and the relationship with political authority gains meaning and significance for individuals within that system. In this way, political culture can be defined as a value system (Devine 1972). The values of the political culture and the interpretation of these values define legitimate domination and compliance, as well as illegitimate authority and non-compliance exhibited in the form of protest. As a value system, the political culture “defines an ideal in that it represents the goals of the political system” (Schmidt 1988: 77).

Studies of political culture have mostly focused on value consensus or congruence between members of a political system and their regime to demonstrate regime stability and legitimacy based on the consensus of these values.¹ According to these theories of political culture, when both rulers and ruled agree on the same fundamental values, there is regime legitimacy and system stability. Studies of

¹ The study of political culture and the emphasis on stability and integration, which has been equated with legitimacy, justified value judgments of democracies as the most legitimate type of political system. Political culture has been used to explain primarily how regimes can maintain stability by means other than coercion, and the absence of conflict in these systems over fundamental values which give legitimacy to the regime. The popularity of political culture arose as an explanation in the 1950s and reflected the consensus felt in the United States and validated the assumption that democracies were based on consensus. Political culture theorists sought to “offer a normative criterion for evaluating the democratic status of an individual state” (Girvin 1989: 9).

American political culture have been based on these premises, but this understanding is inadequate when looking at protest over values. The way in which political culture has been associated with stability and consensus ignores the American political culture as one that also contains conflict over the preservation, maintenance or interpretation of values.

It is this conflict which defines illegitimacy, leading to various degrees of fragmentation, or conflict between groups in society and the State. The values of the political culture not only serve as the criteria for legitimate domination and compliance by specifying the ideals, obligations and operating norms of the political system and legitimate authority. These values also specify the nature and forms of non compliance and what constitutes legitimate non-compliance or disobedience for protest. The revolutionary origins of the American political culture emulate such values. Thus, political culture is not just about consensus, but about conflict. For militias, these values are believed to determine protest against illegitimate authority as a civic responsibility and a constitutional right. They use these values to emulate protest as a traditional means of political expression and participation. This conflict comes about over disagreements regarding the values of the political culture in terms of how those values are followed or maintained by government.

The American political culture as a value system can be said to be composed of three types of value categories: beliefs, symbols and rules.² The function of the beliefs, symbols and rules of the political culture is to relate the individuals of that culture to their political system, including other members of that system and the authority of that system. The beliefs, symbols and rules of the political culture define the criteria for legitimacy and establish the structure of domination and obedience. As Glenda Patrick says, “political culture constitutes the most effective mechanism for inducing voluntary compliance through the internalization of an authoritatively enforced common system of norms, beliefs values and symbols” (Patrick 1984: 289). Both members of a political system and political authorities that maintain it subscribe to these beliefs, symbols and rules: they form the political formula that both the

² This is a variation on Devine’s work in terms of his categories of values and the content of those categories (see Devine 1972). In terms of content, Devine confines his analysis of political culture as a value system to Lockean Liberalism, which the present study considers only one aspect of a rich and complex political culture, and not its defining aspect as a value system.

members of a political system and legitimate authority must agree upon. Those values are the ones that create and maintain a legitimate order.

In the next section, the political culture as a value system is detailed. Firstly, the belief values are outlined and related to the American ideological tradition that defines legitimacy and the nature of protest. Secondly, the nature of symbols as values are specified as it relates to legitimacy and conflict over meaning and interpretation of those symbols. Thirdly, rules as values are shown to be part of the value system which define the basis of legitimacy and protest.

Beliefs

The American political culture reveals a value system that places particular ideologies, and the belief values they contain, as the foundation of legitimate authority. This belief system indicates the ideals and norms of the polity (Patrick 1984) by which an individual identifies with the political system. The belief system also reveals that the American political culture creates tremendous opportunity for challenges to authority. This is because these beliefs define the rights of Americans in relation to the State, their expectations of what form the ideal political system should take, and the obligations defining political participation and obedience. Specific belief values have been identified, such as liberty, equality, property and religion which provide meaning to how one relates to the rules, procedures, ideals and expectations of the political system. However, the belief system also includes ideologies which contain the values of the American political culture, and serve as values themselves.

Ideologies are associated with the central or dominant value system and as such they are “ideas which help to legitimate a dominant political power” (Eagleton 1991: 1). These ideas are the foundation of the political system, and have become the values or ends to be attained. Political ideology “defines the structure and functions of the State, the nature and limit of its sovereign will, and its relationships to all other forms of social life. Political ideology aims to establish, maintain or destroy authority by relating it to a structure of norms, values and data which are accepted as valid” (Arieli 1964: 4). The centrality of ideology to legitimacy in America is based on an ideological tradition which emphasizes particular beliefs as the foundation for the political system. As a nation formed on the basis of ideological principles and goals,

specific ideologies can be identified which legitimate authority and characterize the American political belief system. From its inception, the need for ideological consensus in the new nation in lieu of traditions, history or common ethnic identity led to this centrality of ideology in the national consciousness (Lipset 1996). Because

American society lacked a natural community of tradition, then its cohesion had to be the product of a community of values, beliefs and ideas which replaced those created by tradition and homogeneity...it was the correspondence between the values embodied in the social structure and those of its ideology that created a consciousness of national unity” (Arieli 1964: 19).

Lipset and Raab say that “commitment to these values is the American ideology, there being no more concrete political philosophy or dogma” (Lipset and Raab 1970: 30).

It is understood that political power is legitimated to the extent that it fulfills ideological commitments identified by specific core ideologies. In this way, ideology is not a tool used by authority to legitimate its political and economic activities, but rather, ideology is part of the criterion for legitimacy: governmental authority must justify its political power by pursuing valued objectives outlined by the ideologies of the political culture. This is why James Aho states that “popular legend teaches that culture and ideology – the so called ideational realm – serve only to legitimize society’s goings-on after the fact, the political-economic substructure of social life, ‘the real world’...I argue that political and economic activities serve ‘ideal’, ‘spiritual’ ends” (Aho 1994: 15). Ideology and culture are not used to legitimate everyday life, rather, political and economic activities must reflect the American values for legitimacy. The result is that ideological satisfaction is part of this value output. Thus, a government is legitimate to the extent that it pursues policies and objectives that reflect and emulate the values and beliefs of the American nation as reflected by this ideological tradition. This ideological tradition consists of ideas, philosophies and theories that determined the nature and purpose of America, including Lockean Liberalism, Natural Law, Conservatism and Liberalism, Americanism and Nationalism.

Lockean Liberalism

Firstly, the ideology of Lockean Liberalism contains belief values which confer legitimacy. As an ideology, Lockean Liberalism has been open to

various interpretations regarding the values that comprise it. Seymour Lipset identifies liberty, egalitarianism, individualism, populism and laissez-faire. Everett Ladd (1994:1) identifies equality, property rights, democracy and freedom. While these interpretations vary on the specific values that compose Lockean Liberalism, most theorists identify individualism as central to the ideology: “the emphasis in the American value system, in the American Creed, has been on the individual. Citizens have been expected to demand and protect their rights on a personal basis (Lipset 1996: 20). Thus, authority is legitimate to the extent that it protects the individual’s rights.

Lockean Liberalism is also part of an American revolutionary tradition that encourages challenges to illegitimate governmental authority when individual rights are respected or maintained. With this emphasis on the individual and individual rights, the American political culture is one in which there is an “American disdain of authority” (Lipset 1996: 21) and challenging “the rules laid down by the state” (Lipset 1996: 21) is part of this ideology. As Lipset says, “Basically, the American revolutionary libertarian tradition does not encourage obedience to the state and the law” (Lipset 1996: 21). Individuals relate to the political system as one in which they as individuals reign supreme over authority, and are encouraged to challenge its authority when their individual rights are not expressed. Militias subscribe to the tenets of Lockean Liberalism in that they feel that the individual is paramount to the State. As will be shown in chapters four and five, the militias believe that the State needs to preserve and maintain the rights of the individual, which include letting that individual claim their rights against authority.

Natural Law Doctrines

Secondly, the American political culture contains the beliefs of Natural Law, and the American interpretation of this doctrine as natural rights.³ This is intricately

³ Political theorists on Natural Law and America state that Americans treated natural rights and Natural Law as “identical or as merely two phases of the same concept” (Haines 1965: 53). Natural Law has also been equated as being synonymous with ‘higher law’, although more religious in interpretation, or ‘common law’: “whether identified as Natural Law, higher law or common law, a suprapolitical dimension was believed to exist to which the citizen could appeal above the Constitution” (Dillon 1972: 212). Most of the literature which comments on Natural Law stems from the 1960s, and there was a revival in the late 70s and early 80s, but there has been little probing into Natural Law as it is connected to legitimacy and political culture.

related to Lockean Liberalism and the notion of individual rights, but is also drawn from other sources besides Locke.⁴ Eugene Gerhart states that “to Americans, ‘natural law’ means individual freedom, liberty, unalienable rights inherent in man’s nature” (Gerhart 1986: 102) which was embodied in the “Declaration of Independence and the Bill of Rights” (Gerhart 1986: 102). The doctrine of Natural Law establishes the limits of authority and the nature of legitimate authority by defining the rights of the individual in relation to authority. The

Theory of natural rights, which is the characteristic American interpretation of natural law, became the foundation for the concept of limited government which gained such a strong foothold in the United States. It gave the theoretical basis for the American doctrine of civil liberty which set the rights of the individual against the government and insisted on the formulation of limits on all forms of political authority (Haines 1965: 58).

In this way, the value of ‘inalienable rights’ in the political culture not only needs to be maintained and preserved, but such values are not subject to removal by authority because they originate from outside that authority – in nature or from God.

The Declaration of Independence and the Constitution emulate the values of Natural Law in that both are “products of natural rights thinking. Americans continued to believe that they enjoyed their rights as free men [sic] not because the U.S. government had invented and graciously bestowed those rights on them but because they were entitled to the natural rights due all men [sic]” (O'Brien 1978: 108). Henry Jaffa states that “the Constitution itself is an application of Natural Law. It is an embodiment of Natural Law in human law...” (Jaffa 1986: 48). Haines points to the Declaration of Independence as “a standard formula for the use of advocates of the doctrine in the dictum that men are ‘endowed by their Creator with certain unalienable rights, that among these are Life, Liberty and the pursuit of Happiness’” (Haines 1965: 54). Natural Law became “a principle of political action” (Haines 1965: 55) in that

⁴ Wright (1962: 327) identifies American theories of Natural Law stemming from “the European authors of the seventeenth and eighteenth centuries, - Grotius, Pufendorf, Vattel, Burlamaqui, Coke, Milton, Sidney, Locke, Blackstone, - from whom the Americans derived their conception of the laws of nature.” Haines (1965:56-57) states that “the natural law philosophy... which was a part of the heritage of Western Europe and of America in the eighteenth century, was extensively used in America... to Paine and Jefferson, as with certain Greek thinkers, there was a disposition to recur to the deistic emphasis upon the laws of nature and to associate the concept with the underlying principles of natural phenomena.”

“governments, to justify their existence, were to be measured by the security they furnished for the natural principles of freedom and equality” (Haines 1965: 55).

Natural Law in the American context contains the beliefs that Americans are empowered by rights that define their relationship to authority. This relationship is one where legitimate authority cannot remove or challenge the basic qualities and nature of the individual. As a result, the belief is that the individual is given enormous power over any authority that does not recognize or express the principles of Natural Law. The revolutionary value of Natural Law in challenging illegitimate authority has become enshrined in the political culture. As a result, Natural Law is one of the most significant beliefs and bases of protest for the challenge against authority for militias. It is a belief value which defines legitimate authority and is the basis for challenging that authority. Militias have used this belief value as a specific argument for non-compliance, and as a tool in their protest. The use of Natural Law also provides an understanding of the protest in terms of the relationship of the individual to governmental authority, and the rights and legitimacy derived thereof. This understanding is one of external power and authority of the individual to challenge government. The discussion of Weber later in the chapter puts this argument more into focus.

Conservatism and Liberalism

Thirdly, the relationship of Conservatism and Liberalism in American political culture specifies sets of belief values in terms of the relationship of these ideologies to each other. While each ideology contains its own set of beliefs, the relationship of these ideologies to each other in the American context is defined by conflict as well as consensus. What this relationship reveals is that the expression of values often involves a choice between sets of values, and the choice of expression has an effect on the perception of legitimacy and either set of values. The relationship between Conservatism and Liberalism is considered to be part of the American political tradition, where political debates have been largely confined to the ideological spectrum of left and right.

The labels of ‘conservative’ and ‘liberal’ can be applied to several things, including self-identification by the electorate (Conover 1981), the identity of

politicians, electoral candidates, political parties⁵, public policy positions and issues (Conover 1981), dispositions and attitudes. However, the labels of Conservatism and Liberalism demonstrate the difficulty in definitions because of the dynamic nature of the labels (Miller 1994: 176). Conservatism and Liberalism can be defined as belief systems, which are umbrella labels to describe a set of values. For liberals, those values are conventionally understood to relate to change, reform and progress. Conservative values on the other hand relate to the maintenance of the status quo. However, to characterize Liberalism and Conservatism in this way would not be entirely accurate. Conservatism contains ideas relating to preservation and restoration so that the “conservative will resist change except when the proposed change is perceived to be in a traditional direction or such as to increase the security of the individual or his society” (Wilson 1973: 13). Also, Conservatism is resistance to change when that change is in a reactionary direction, so that Conservatism can take the “necessary and even radical steps of systemic adaptation in order to maintain social and political power and privileges” (Ingelhart and Mikenberg 1989: 86). Conservatives are not against change; that change must be a particular kind in a particular direction based on the values that are being maintained or restored through that change. Conservatives and liberals may agree on particular values, and agree on the core political culture, but they generally differ over how such values should be followed or maintained by government.

Thus, the conflict between conservatives and liberals pertains to how government should achieve America’s goals and destiny by adhering to particular belief values. Dunn and Woodard state that conservatives and liberals “want to use established institutions of American government with their guaranteed procedures and principles, but they want to use them to achieve different results” (Dunn and Woodard 1996: 22). American Conservatism and Liberalism emulate particular values of the political culture that can be in common but which also conflict. Dunn and Woodard further state that “both conservatism and liberalism hold certain values in common, such as agreement on the rules of the game in political culture. However, liberals and conservatives disagree on which traits of the American character are most important

⁵ The association of political parties with Conservatism or Liberalism is an empirical one made by observers (Stimson 1991: 121). “Republicans are more likely to be conservative, Democrats more likely to be liberal. But there is no necessary logical connection. Thus, the standing of the party might rise or fall independently of the standing of its associated ideology” (Stimson 1991: 121).

and which ones should be nourished and protected by government” (Dunn and Woodard 1996: 43). In other words, they disagree on which values should be followed by government. While the values of conservatives and liberals are part of the political culture, these values can and do contradict and come into conflict with each other. The “conservative fear is that the U.S. as a society is unaware of the past values which made it exceptional” (Dunn and Woodard 1996: 43).

As a conservative movement, militias challenge the legitimacy of the State based on the criteria that the adherence to liberal values involves the negation of conservative values. At the same time, however, they also recognize that both beliefs are part of the core value system, and cannot be neglected. Liberalism is not significant as an aspect of the protest without understanding its relationship to Conservatism. Militias relate to authority in terms of liberal and conservative, so that the State will be identified as predominantly one or the other, reflected in governmental output. Militias use the label ‘liberal’ to underscore the illegitimacy of the State. To militias, liberal values are believed to foster secular humanism, an internationalist outlook, and centralization of authority, leading to socialism. The militia movement seeks “conservative restoration” (Apple 1988: 177) based on the belief that there is a “clear sense of loss” (Apple 1988: 177) of values and tradition. Also, as conservatives, the values of community and local government (Rosenbaum 1972) are embraced by militias. They point to the need for ‘traditional values’ which emphasize the nation and patriotism (Faulkner 1993: 108) and parochial values of family (Steinfels 1988: 83).

Americanism

Fourthly, the ideology of Americanism contains the belief values of the political culture. ‘Americanism’ is a term often used in literature, but which is not adequately defined, as “the very vagueness of its meaning probably made Americanism more widely acceptable as a national faith” (Hughey 1992: 542). Louis Hartz defines Americanism as “that peculiar blend of liberalism and nationalism that only America has produced” (Hartz 1957: 475). Others characterize it as American patriotism (Lipset 1964: 320). What Americanism clearly identifies as values are morality, national identity and ideological commitment. It describes an ideology which or faith which is an “allegiance to values, to a creed” (Lipset 1964: 320). The belief values

stemming from these principles and beliefs also define the political culture and are the basis for legitimacy.

The moral aspect of Americanism is one where the belief values are an ideological faith that ascribes religio-political characteristics to the ideology (Hughey 1992: 541). This stems from its Puritan Protestant foundations that imbued particular religious, social and political principles in the founding of the nation. This created a moralistic culture, where obedience was considered to be inherent in the 'reason of man' [sic] versus that of authority. These origins established a political system in which authority had to reflect sacred principles and beliefs for legitimacy. Americanism "glorifies...the Protestant who is morally responsible directly to God" (Lipset 1982: 49), and to the State only to the extent that it also reflected this moral responsibility. These types of beliefs have created a moral tone to the way politics is understood and political authority is evaluated.

Americanism is also the view that America is the shining example in the world for moral behaviour. Americanism contains ideas and beliefs of how the nation is to achieve its purpose, and also gave meaning to America's place in the world. Americanism as a faith requires that Americans believe in an ideology which places the nation at the centre of political concerns. External and internal threats to this ideological faith have featured regularly throughout American history and are reflected in the belief system of American political culture. As Lipset stated, "being an American is an ideological commitment. It is not a matter of birth. Those who reject American values are un-American (Lipset 1996: 31). Ideological enemies are threats who will subvert American sovereignty and identity: "It is this emphasis on ideological conformity to presumably common political values that legitimizes the hunt for un-American in our midst" (Inkso 1995: 63). In militia literature, 'Americanism' and 'patriotism' are treated synonymously (*Uncommon Sense*, vii), and it those who subscribe to it are "real Americans" as opposed to "pseudo Americans" or "Socialist Americans" (*Uncommon Sense*, viii).

Americanism thus explicitly states the criteria for legitimacy: to pursue America's sense of mission - to be a shining example of moral behaviour, and to deal with enemies that would subvert the American nation and national identity. These ideas outline how the American nation is to achieve its purpose, and thus explicitly state the criteria for legitimacy. There is a problem with legitimacy when the actions of government are not conceived in terms of the divine mission and in opposition to

external enemies. Militias believe that these values are no longer upheld. They feel that America is a shadow of its former self in the world, and it is no longer a shining example, but a joke to the international community. American society is seen to have become immoral, reflected by the behaviour of politicians, and the policies of intervention in conflicts that are perceived as failures, demonstrating that the United States military has lost its purpose and strength. This will be demonstrated in chapters three and four.

Nationalism

Fifthly, Nationalism as an ideology indicates the belief values of the American political culture. Nationalism is best conceived as a subjective phenomenon, being an “imagined political community” (Anderson 1983: 15) or the collective consciousness of a political community that has a political destiny. The nation “is the most basic value object associated with political culture” (Devine 1972: 25). Through the nation, members have an identity through which they relate to the political system. Nationalism is the political program of this collective destiny or purpose, outlining the values and objectives of the members of the political community. It is in this community that ideals and beliefs regarding national identity are related to legitimacy and the ideal social structure: “ideals and beliefs can only influence conduct alongside personal ties, primordial attachments, and responsibilities in corporate bodies, and they can come into play primarily in the form of vague notions regarding the right and the good in concrete forms” (Shils 1970: 37). It is through national identity that individuals judge legitimacy by how they feel part of a nation. However, the nation is not the only way in which an individual relates to their political system. The nation is the most important source of identity for individuals, but its importance in the political culture must be understood in relation to the role of Nation-State and the State.

The State is defined as “a human community that successfully claims the monopoly of the legitimate use of physical force within a given territory” (Guibernau 1996: 47). The State exercises power through laws, and it is an instrument of power composed of bureaucracies - institutions and apparatuses that are Legal-Rational. Relative to the nation, the State is largely void of the meaning and values attached to the nation. Because of this, “the individual transfers sovereignty to the nation, not to the persons or person who constitute society’s government (Canavan 1987: 165).

Within the nation, power is located with the people. For the State, power is located with political authority. To be a rightful authority, it must emulate the nation, which represents the values and identity of the people within that territory. The subordination of the State to the nation inherently limits the power of the State and defines legitimacy: “the only legitimate source of political authority...is the individuals consent as the exercise of his national right to self government (Canavan 1987: 164).

The Nation-State, therefore, enables individuals to identify with the nation but be controlled by the State. There are three ways in which citizens are controlled. Firstly, power is exercised by the collection of taxes (Guibernau 1996: 58). Secondly, the State controls citizens through laws that define the rights and duties of the citizens (Guibernau 1996: 58). Thirdly, the State exercises control by surveillance and increased technocratization (Guibernau 1996: 58). The Nation-State seeks to legitimize the use of force by obliging people to be loyal, through the use of political culture. With the Nation-State, the nation aspect of the equation is viewed as the “common culture, values and symbols” (Guibernau 1996: 48), and the State is the “engine for national reproduction” (Guibernau 1996: 48). Thus, “the nation-state seeks to create a nation and develop a sense of community stemming from it...the nation-state has as an objective the creation of a common culture, symbols and values” (Guibernau 1996: 47-48). Legitimacy is then contingent on the State’s expression of nationalism through the political culture: “the extent to which the political culture reflects adequately the sense of national identity within the community is central. If the political culture cannot attract loyalty then change poses real difficulties” (Girvin 1989: 48). The Nation-State has legitimacy to the extent that it fosters national identity and maintains the nation as an aspect of the value system, or political culture.

The belief value of nationalism is expressed by militias in their identification with the nation, and not the Nation-State, or the State. The nation is a belief value, whereas the State and the Nation-State are seen as administrative structures or international constructions. The State is recognized as a Legal-Rational bureaucracy which neglects the values of America. The militia movement is marked by its protest against the power of the State. Militias are anti-tax, and some have renounced their citizenship, or claim that citizenship is a fictitious concept. Instead, they are sovereign citizens who are not subject to the control of the State. This protest demonstrates their disassociation with the State.

The Nation-State is also understood as having an international dimension as an actor amongst other nation-states: this identification is one of a world actor which can participate in international politics and world bodies. Militias object to the Nation-State because of this modern identity and role. Legitimacy is relative to the way in which political authority emulates or expresses nationalism. Obedience and loyalty is given to the idea of the nation and to the State only to the degree it upholds the national identity. Expanding on the notion of vertical and horizontal identification (Devine 1972: 78; Anderson 1983: 16), the nation represents horizontal relationships: the conception that people relate to each other as co-nationals, the imagined community of face to face interaction and shared values. The State structure is identified as a vertical relationship where power is centralized and exercised on those vertically below, where the flow of power from top to bottom leaves the individual virtually powerless.

Symbols

Symbols provide “the structure for support of the basic political artifacts deemed valuable in the culture” (Devine 1972: 16). Symbols describe “the substantive ends to which political action is directed and in terms of which it is justified” (Berelson quoted in Cobb and Elder 1973: 321). As such, “symbols appear to have the characteristics of cultural values” (Devine 1972: 109). Their purpose is to “provide identity, give rise to motivation, set the community agenda and establish and perpetuate socio-political order” (Procter 1991: 5).

Symbols are of primary importance in securing legitimacy for the State, because they are “used to justify or rationalize the decisions of government regarding the distribution of valued things” (Cobb and Elder 1983: 116). These valued things include the beliefs of the American political culture. As such, symbols of the American political culture play an integral role in securing legitimacy precisely because they are representations of values: “these symbols are not mere icons passed from generation to generation, but meaningful symbols of our values” (White 1990: 23). Symbols define the criteria for legitimacy because “as these symbols demonstrate, the American polity is not a structure of government, but a contract between the government and its people whose clauses contain shared values (White 1990: 23). Symbols thus represent the ideals and operating norms of the political

system. They secure legitimacy through identification with the nation as well as the political regime: “symbols often relate to the nation as a whole and help in the identification process” (Devine 1972: 105).

Specific symbols such as the Constitution, the Declaration of Independence, the American Flag and the ‘Founding Fathers’ are repositories for the values of the American people and give the regime legitimacy. They also have a sacred quality that transcends the political power of a State. The Founding Fathers are part of a sacred myth, which symbolizes the nation, and the ideals and norms underpinning the political system because “nations and communities are born, and the birth requires a father or author, one who, whether mythologically or actually, brought the original laws and customs, thereby making a people a people” (Schaar 1989: 30). The belief in the substantive purpose of the divine and sacred origins of the American nation and its destiny has been encapsulated by the symbols in the political culture. Symbols and myths “constitute a bridge between sacred and secular which may be appealed to in a political process to solve disputes and to create legitimacy” (McLeod 1991: 94).

Myths also serve this purpose. Myths are symbolically based narratives which “not only give substantive content to one’s political world but they tend to define how that content is to be linked to specific symbols” (Cobb and Elder 1983: 54). Myths, the content of which includes symbols, have “the dual function of explaining the social order in historical terms and of justifying it on some moral basis” (Matheson 1987: 200). The mythical narratives of the Constitution and the Declaration of Independence serve as symbols which embody beliefs and world views regarding the American nation, defining in the process the nature of authority, power and obedience in sacred terms:

The mystical authority embedded in the world views of the American political culture constitutes a metapolitical system of overarching beliefs which endow it with mystical values which evokes acceptance of the social order which goes far beyond the obedience exacted by the secular sanction of force. In American political culture, civil religion, political authority and the belief in the divine inspiration for the American Republic are bound together in a seamless web of mystical reverence through which the social system is removed to a mystical plane, where it figures as a system of sacred values beyond criticism or revision. In this sense, the metapolitical values associated with the American government and political systems approximate the criteria for religion as expressed by Geertz (McLeod 1991: 96).

The mythical qualities attributed to symbols in American political culture have a sacred character and content which defines the destiny and purpose of the American nation. These take the form of narrative myths and sacred literature such as the pledge of allegiance, the national anthem, the word 'America' and the Gettysburg address (McLeod 1991: 101). The sacred character of such political narratives has the purpose of giving meaning and value to the nation:

The unique character of the mystical system underpinning American politics is the merging of God and nation extant in the sacred literature concerning the creation of the Republic. In this sense, Americans can only be 'one nation under God' if the political system charted in the sacred literature survives and this survival has less to do with any universal belief in religion than it does with the specific character of the divine origins of the American Republic itself (McLeod 1991: 95).

The myth of the American Republic as the ideal political system in American political culture has been used by militias to empower their protest. The republican ideal "embodies popular reempowerment" (Williams 1991: 607) of citizens, and thus defines how citizens would relate to their political system, governmental authority and the distribution of power.

The American Republic also pertains to the belief value of Republicanism to which militias subscribe. As Williams states,

Republicanism offers practical guidance on how positively to engender civic virtue, in the form of disinterested self sacrifice, amongst a nonvirtuous, self interested populace. Although this militia ideal may seem hopelessly utopian in its conception of the redemptive possibility of politics, it is central to the historical tradition as an icon of the main theme of Republicanism (Williams 1991: 554).

Militias subscribe to the historical ideal of republicanism, where participation in the militias determined a citizenry that controlled their government, where militia members were considered virtuous citizens, and where they understood their political system and processes because they were politically active. This type of political system and participation would ensure rightful or legitimate authority.

The mythical and sacred character of these symbols is not subject to the control of authority, but rightful authority must uphold these symbols. The divine and sacred nature of these symbols is also seen to place authority in the symbols themselves, so

that legitimacy is derived from their emulation. Symbols like the Constitution remain a sacred document from which the militia ideal is born.

Legitimacy is created by the use of symbols when there is consensus on their meaning. Symbols of the political culture are based on a consensus, in terms of the “mutual attribution of significance to a symbol and common affective sentiments towards it” (Cobb and Elder 1973: 331) as well as the sharing of “symbols describing the substantive ends to which political action is directed and in terms of which it is justified” (Cobb and Elder 1973: 331). As such, symbols are chief sources of legitimacy that are easy to reproduce and employ. However, symbols are also a chief resource in conflicts over values. By their very nature, symbols are open to interpretation. Due to the fact that symbols are stimulus objects whose meaning is based solely on interpretation, “there are no correct interpretations of symbols. A symbol has no authorized interpreter” (Pekonen 1989: 135) and they are easily manipulated. As such, symbols play an important role in conflicts over their substantive content and interpretation as values. This is a significant and necessary part of protest and conflict for militias who use their interpretations of symbols not only to demonstrate that the criteria for their challenge to legitimacy is valid, but to legitimize their own position as political protesters.

Rules

Rules are the “fundamental political agreements governing a particular society: the political constitutions, the norms of the regime, the ‘rules of the game’”(Devine 1972: 16). According to Devine, specific rules of the political culture serve as values in that they provide meaning, purpose and objectives for a political system. These rules relate the individual to their political system in terms of the limits of political participation and expression. Also, rules define the nature and scope of authority.

Firstly, rule norms determine the scope and limits of authority and the exercise of power. This includes how power is legitimately attained – through legal means, and expressed – through the absence of force or the legitimate use of force. Rule norms regarding authority also relate to how political decisions should be made by defining the appropriate channels of decision making. Secondly, rule norms pertain to political participation, either in support or opposition to the regime. This participation can be both electoral, in the form of voting and writing to representatives, as well as

defining the nature and limit of non-electoral forms of behaviour, like protesting, the exercise of non-violent civil disobedience, and rules which generally define the parameters of political deviantization and dissent (Rosenbaum 1975: 9). Thirdly, rule norms in the political culture which serve as values relate to political expression defined by the right to assemble and the right to free speech. Rules are meant to emulate the values of freedom and rights to be protected by law while also valuing limits to such freedoms and rights. Fourthly, there are rules regarding conflict resolution, and the modes of redress for citizens – or justice. In this way, rules define civil rights and procedural justice, including due process, the right to a fair trial, and the modes of redress. Thus, militias challenge the legitimacy of authority for not adhering to these laws that define the rights of citizens and constrain the behaviour of government.

Part of the individual's relationship to the political system and the authority within that system includes "concepts of political obligations for oneself and others" (Rosenbaum 1975: 9). Militias believe two things in relation to the rules as they understand the value system. Firstly, they are advocating the rules of the game: if government is tyrannical, they have an obligation and duty to challenge illegitimate authority. If they transcend institutional channels it is because the institutional means of expression and participation are corrupt themselves. Further, protest is perceived to be valued in the American political culture as determined by the revolutionary tradition of protest. Secondly, they believe that the government is not following the rules of the game, and are not upholding the rules through which citizens are able to participate in politics and question authority in institutional ways. The only avenue left is organizing militias which are extra-institutional and not subject to corruption.

Inherent in the political culture is the potential for conflict over interpretations of beliefs, symbols and rules and how they are used. Political culture cannot be explored only in terms of consensus of values. Rather, militias demonstrate that there is a conflict over the value system in terms of the maintenance and adherence to values, resulting in their protest over the legitimacy of authority. Political culture in this sense can be discussed in terms of fragmentation: where the disagreement over political culture results in the separation of groups from each other and from their political system and from authority. Fragmentation explains that this conflict is not a rejection of the value system, but a challenge to how political

authority is upholding the values as demonstrated in governmental behaviour and policies.

Fragmented Political Culture

Conflicts over the values of the political culture can be described in terms of fragmentation. A fragmented political culture defines a situation where the “population lacks broad agreement upon the way in which political life should be conducted. At the political culture level, the population separates, or fragments into groups isolated from one another by contradictory and incompatible orientations towards political life” (Rosenbaum 1972: 37).⁶ Militias are symptomatic of fragmentation, where the incompatible orientations regarding legitimacy have manifested in the emergence of protest by marginal groups. Fragmentation is a conflict over the political culture as a value system, where “the citizens are sharply divided, often on both the legitimacy of the regime and solutions to major problems” (Almond and Powell 1996: 39). The theory of fragmentation can be used to explain how legitimacy is perceived by groups like militias.

Theories of political culture in liberal democracies have supported the belief that legitimacy rests on liberal consensus, conflating legitimacy with popular opinion and stability. What this meant is that the protests of groups like militias were not treated with significance or understood in terms of legitimacy and conflict over the political culture. Thus, theories of legitimacy and political culture have served to render “opaque whole classes of basic and recurrent political phenomena” (Schaar 1989: 20) such as a “a group or individual refuses consent and obedience to the orders of a regime or institution on the ground that the regime or institution is illegitimate” (Schaar 1989: 20).

Because theories of legitimacy and political culture have been based on consensus and stability, the effect has been to ignore the perception of legitimacy from groups like militias which are symptomatic of fragmentation in the political culture. The problem with most studies of political culture has been the persistent emphasis on

⁶ Rosenbaum’s work on political culture emerged at a time when consensus theories were being challenged, and remains the most, if not the only, detailed work on fragmentation as it pertains to political culture.

the dichotomy between stability and instability. This has served to ignore the possibility of a continuum in which conflict between social groups and with the legitimacy of authority determines the degree of integration or fragmentation in society. As a result, the connection between legitimacy conflicts and fragmented groups like militias remains unexplored and misunderstood. When conflict has been explored in terms of marginal groups, it is to explain the different and incompatible values of such groups that clash with the dominant value system, rather than over the same values affecting legitimacy. Marginal groups are understood as deviant subcultures with alternative value systems whose conflict is based on some type of psychological rather than political problem. The value systems of such groups are believed to advocate something unstable and undemocratic. Due to the belief that these groups do not belong to the consensus, they are believed to lack the legitimacy to evaluate the legitimacy of the State. This not only mischaracterizes the protest of militias, but such theories only serve to remove the legitimacy of marginal groups. Rather, fragmentation demonstrates that legitimacy does not rest on popular opinion, that groups like militias can be significant indicators of a degree of loss of legitimacy, and that such protests need not be based on alternative value systems. A theory of fragmented political culture enables us to move closer to the analysis of conflict and fragmentation over value expression.⁷

Rosenbaum explored the United States in terms of its ideal integration rather than in terms of fragmentation. However, he recognized that “the political culture emerging from this social and historical background is not one of ‘great consensus’ though this is so often assumed to be the hallmark of American political opinion” (Rosenbaum 1972: 78). Although Rosenbaum states fragmentation can be placed on a continuum of fragmentation and integration (Rosenbaum 1972: 37), the concept has not been examined in terms of intensity or degrees, which can apply to political cultures like the United States.⁸ This way, we can understand the degree to which legitimacy is lost from the perspective of particular groups within society who use the same value system.

⁷ Rosenbaum explored fragmentation mostly in terms of developing nations, and “countries growing from rebellions against colonial regimes after World War II” (Rosenbaum 1972: 38), but also recognized that fragmentation occurs in places “such as Northern Ireland, Canada, and many Latin American states” (Rosenbaum 1972: 38). He further notes that “these concepts still remain unfinished and inelegant, a topic for continuing scholarly debate” (Rosenbaum 1972: 37).

The concept of fragmentation demonstrates that in places like the United States, there are conflicts over the central value system in terms of its expression.

Fragmentation explains why some groups like militias can challenge legitimacy as part of a conflict over the political culture while the rest of the population may not join or form protest groups. With theories of political culture which do not account for fragmentation, militias are treated as insignificant indicators of legitimacy problems by the State because they are marginal. They are only considered marginal because the perspective they hold of legitimacy is not universal. However, their perspective needs to be recognized as necessary to the understanding of legitimacy and protest.

In the United States, it can be said that there is a low level of fragmentation, measured by the challenges to legitimacy of groups like militias. The way groups identify with the political system, the criteria they use to evaluate authority, and the forms of behaviour within a structure of domination and compliance demonstrated by militias is symptomatic of fragmentation. Drawing from Rosenbaum, fragmentation is characterized by several things. Firstly, fragmentation is an evaluation of governmental authority as illegitimate mostly at the national level, the symptom of which is the “dominance of parochial loyalties over national ones” (Rosenbaum 1975: 43). This translates into loyalties and obligations to the local, regional or subnational government ahead of the federal government. Thus, the horizontal identifications are seen as the most legitimate, and the vertical identifications become less legitimate as they rise vertically, excluding the federal government from legitimacy. Secondly, the emergence of protest behaviour which demonstrates non-compliance or disobedience is symptomatic of fragmentation (Rosenbaum 1972; Almond and Powell 1996). Thirdly, fragmentation is marked by individuals or groups that relate to the political system and others within that system with distrust, to the extent of paranoia (Rosenbaum 1972: 46). The conspiracy theories of militias can be understood as symptomatic of fragmentation, stemming from the distrust of government.

Thus, it can be said that fragmentation in the United States is evidenced by the emergence of social or protest movements like militias that challenge the legitimacy of the State. This fragmentation is low-level in that it is only represented by marginal groups within society, like militias.⁹ The nature of this fragmentation also defines

⁹ Increased levels of fragmentation leading to civil war or revolution is only possible when the group is no longer marginal.

the characteristic of the extremist or radical nature of militias. Militias can be defined as adopting a particular style of thought based on this fragmentation and right wing character.

Fragmentation and Militia 'Extremism'

The ideology of militias needs to be distinguished as a type of extremism in the context of fragmentation. In this context, alternative perceptions of legitimacy are challenged by marginal groups like militias based on types or styles of thinking. To this end, right wing extremism can be described as a style of thinking and behaving towards perceived threats (Barnette 1972: 9):

A more process oriented approach for understanding political movements of the extreme right...may be more rewarding. Such movements may be analyzed as forms of reactions to threatening changes at work in society and special styles of thinking about, and acting in relation to these perceived threats. The nature of the perceived threat may vary...but events tend to be interpreted as parts of conspiracies between two or more types of enemies such as external invaders and internal traitors. This perceived threat may take on apocalyptic proportions of a cosmic drama between the forces of good and evil.

From this understanding, and from the use of an operational definition of extremism as a response to perceived threats, the extremism of militias can be conceived as a style of thinking and an ideological predisposition for conspiracies. As Edward Shils states, ideological extremism is a way of thinking about the world:

All extremists are inevitably ideological – because of their isolation from the world, [they] feel menaced by unknown dangers. The paranoiac tendencies which are closely associated with their apocalyptic and aggressive outlook make them think that the ordinary world, from which their devotion to the ideal cuts them off, is not normal at all; they think it is a realm of secret machinations. What goes on ...in civil society is a secret to them. It is a secret which they must unmask by vigorous publicity. Their image of the “world” as a realm of evil against which they must defend themselves and which they must ultimately conquer, forces them to think of their enemy’s knowledge as secret knowledge” (quoted in Lipset 1964: 375).

Militias express these threats in the form of conspiracy theories and themes and traits ranging from conservative ideology¹⁰ to radical right ideology that supports their interpretation of legitimacy. Thus, militias draw from the propaganda and rhetoric of the right wing that demonstrates this value conflict, but without the racist and anti-Semitic rhetoric or violent behaviour. However, the type of thinking of militias can be characterized by their use of conspiracy theories and radical right ideology.

Conspiracy Theories

Conspiracy thinking defines right wing extremism in terms of how perceived threats are identified and associated with internal and external enemies. The use of conspiracy theories by extremists demonstrates a style of thinking about the social and political world.¹¹ These theories are used to claim “an illegitimate actor: one who is not just wrong but whose motives are vile and whose operations are themselves not in the open. The conspirators, to serve this purpose, must be largely distant, hidden, faceless” (Lipset and Raab 1970: 490). Conspiracies specify enemies and threats as follows. Firstly, conspiracies entail the manipulation of the many by the few (Lipset and Raab 1970: 15). In this way, the beliefs of militias are preoccupied with the control of the masses through technology and brainwashing, and with the internal traitors or external enemies involved in this manipulation. Scapegoating is part of this

¹⁰ Researchers have tended to disregard the association with the mainstream conservative right wing, and how the militia expounds mainstream conservative themes and rhetoric. The militia movement has emerged out of a larger conservative movement or revolution based on value conflict. The values that brought Conservatism into power resonated with members of society that adopted conservative position that expressed these values. Further, the value conflict between conservatives and liberals are adopted by militias as a conservative force and imbued into their ideology. As such, they are also connected to the mainstream conservative movement just as much as they are to the right wing radical or extreme side of the spectrum. The nature of the conflict is cultural and political, and as such, it often blurs the distinction between what is a conservative or extreme issue or value.

¹¹ However, it must be said that conspiracy thinking is part of the political culture and endemic to conflict over the political culture between social groups, enshrined in the Constitution. As Williams states, “on the whole, militia members are ordinary people who believe in a conspiracy because that belief helps them make sense of their world...In that sense, the militia’s epistemology is like much of the rest of America’s political culture. Liberals believed in right wing conspiracies, conservatives believe in left wing conspiracies; blacks believed in white conspiracies; whites believe in black conspiracies; women believe in patriarchal conspiracies; and men believe in feminist conspiracies. This fracturing of American politics stems in part from the disappearance of a shared epistemology” (Williams 1996: 936). In other words, the perceived threats are based on the social reality of the group doing the perceiving. Perceived threats are part of the political culture and the American political experience, as examined earlier in this chapter.

conspiratorial thinking. However, the identification of enemies as scapegoats does not necessitate that they be traditional right wing extremist scapegoats.¹²

The group of conspirators and external enemies and internal traitors includes groups of 'the few' such as the Council of Foreign Relations, the Trilateral Commission, the Bilderbergers and a plethora of international organizations which are perceived to be directed by the interests of the few. Secondly, conspirators are considered to be the "personification of evil" (Lipset and Raab 1970: 16). In this way, the conspiracy thinking of militias exhibits a tendency to think in terms of good and evil, and in apocalyptic or 'doomsday' terms (George and Wilcox 1992: 59). This tendency of right wing extremist thinking is to characterize the world in terms of black and white, good and evil, right and wrong, and can be described in terms of Manicheism and chiliastic worldview (George and Wilcox 1992: 57) where there is perception of a "theft of culture" (Kaplan 1995: 46) and "a vision of the group as a righteous remnant" (Kaplan 1995: 46). This type of thinking creates an excessive fear of bureaucracy because for extremism, "an impersonal rationalized complex technical bureaucratic society is destroying the simple virtue of man as an individual" (Rush 1971: 169).

Radical Right Ideology

The militias use various other themes of radical right ideology that indicate fears and perceived threat that accompany conspiracy ways of thinking. Firstly, there is a fear or "distrust of democracy" (Abcarian 1971: 9). The militias exhibit this in terms of advocating a return to the Republic. Secondly, there is a fear of a "breakdown in moral fibre" (Bell 1964: 8) in the nation evident in the loss of values and morals. Thirdly, militias are anti-Communist, and have fears of a communist takeover. Conspiracies thus explain the belief of "a detailed forecast regarding the Communist takeover of the United States" (Bell 1964: 8). Fourthly, there is a perception of a failure of foreign policy, which reveals fears of subversion of sovereignty and national identity (Abcarian 1971: 8). Fifthly, militias can be said to be populist, where

¹² Scapegoating is defined as "transference onto an external object" (*Militias in America* 1995). Scapegoats are usually associated with Jews, or other minority groups, and the use of scapegoating is based on the rationale that the only way to deal with scapegoats is to eliminate them. The implicit violence and hatred of scapegoats has come to be associated with right wing extremism. However, as militias demonstrate, these scapegoats can also be communists, 'elitists' or 'globalists' who are not identified by religion, or race.

populism is the belief “that the government is under the control of an elite that acts against their interests” (Howell and Downing 1996: 183). The conspiracy thinking behind populism is also that liberalism and secular humanism (Apple 1988: 177) are subverting American values. As a grass roots movement which purports to speak for the people (Howell and Downing 1996: 183), militias also espouse populism.

The perception surrounding conspiracy theories and the radical ideological dispositions of militias by most observers is that such fears are irrational and foreign to the value system of Americans. However, in the context of the political grievances, these conspiracies explain the fears of the militias regarding governmental authority. As such, “having a fear, they need to find some story or explanation to justify or explain that fear” (Bell 1964: 15). It is due to the conspiratorial view that militias are considered extreme, but this type of thinking is simply a means of expressing real issues regarding legitimacy and the conflict over values and legitimacy formulas. As Mack Tanner states,

Militia activists aren't scared because they believe in conspiracies theories. They believe conspiracy theories because they're scared. The fear came first; then they went looking for more explanations. And all goods conspiracy theories must have some basis in truth. These explain why taxes keep rising, why government regulations grow at warp speed and why Americans talk about a New World Order while demanding that Americans be disarmed. These people describing the supposed conspiracies are offering explanations of what militia supports see happening – the continual erosion of constitutional rights, from property rights to bear arms and the rights of the accused (Tanner 1995: 48).

The use of conspiracy theories as a means of expressing perceived threats characteristic of right wing extremists is considered to be “a novel way of looking at politics; the new member has to learn that the political ideas he has acquired from convention sources are not what they seem” (Ebata 1997: 19). The use of conspiracy theories is indicative of the dissociation from the State: as a means of protest militias must find new explanation for how they see the political system operating because it is considered illegitimate. The enemy is exemplified by those in government who are subverting the American way of life, its values and sovereignty. What this reveals is a political protest with a type of extremist style that challenge the legitimacy of the State. Militias use conspiracy thinking and radical right ideology in that they tend to

focus on enemies and conspiracy theories which seek to explain the bureaucratic and ‘unseen’ hand of the modern State. While conspiracies present an exaggerated threat, they are based on legitimate concerns and fears regarding federal authority and the loss of values that make sense of the political world.

Fragmentation in the context of the United States can be applied to militias who have alternative legitimacy formulas and orientations that require the expression of the political culture. This legitimacy formula and orientations are explained through political culture as oriented social action – where motivated behaviour reflects the evaluations of legitimacy.

Political Culture as Oriented Social Action

The values of the political culture (discussed in the previous section) which define legitimacy become internalized by individuals, and are institutionalized in a structure of domination. The internalization of values determines an individual’s subjective orientations which manifest themselves in behaviour. This subjective orientation becomes meaningful action that at the aggregate or system level are observable as forms of patterned behaviour. Political culture then, also explains orientations, or the subjective aspects of how an individual feels, believes and evaluates objects (processes and institutions) and relationships (domination and compliance) and interaction in the political system. Orientations are defined as the “internalized aspects of objects and relationships” (Patrick 1984: 275) which are manifest in behaviour. As such, orientations are “predispositions to political action” (Kavanagh 1972: 10). A theory of social action based on Talcott Parsons’ and Max Weber’s work “centers on the motivation of actors which shape their orientations: action has an orientation when it is guided by the meaning which the actor attaches to it in its relationship to his [sic] goals and interests” (Patrick 1984: 267). Social action is oriented in that it is motivated behaviour that has direction.

A political system, understood in Parsonian and Weberian terms, is a structure of social action, where observable behaviour has meanings understood through the value system of that culture. Within this structure, political behaviour is action oriented by and towards the power structure of domination and obedience. The value system is

also institutionalized into this structure of domination and compliance, so that there is a particular type of domination which characterizes the social action observable in an environment. When this structure is challenged, alternative forms of social action and forms of legitimacy are observable.

The work of Talcott Parsons on social action theory has been considered to be the definitive work on the subject. According to Parsons' theory, social action "is all human behaviour motivated and directed by the meanings which the actor discerns in the external world, meanings of which he takes account and to which he responds" (Rocher 1974: 29). Parsons, in effect, discusses the functions of political culture in his examination of the internalization of values in the individual, and the institutionalization of values in the structures of a political system to give meaning to a situation.

While Parsons places values at the center of his analysis of social action, the relationship between social action and legitimacy in his work is also relevant. He explains that legitimacy is a matter of value commitment and maintenance demonstrated through input and output by the polity and the State. Any social system is a structure of social action where interaction involves exchanges based on the relationship between the polity and the State. By conceiving of the system as a structure of action, legitimacy is also the result of action, or interaction based on exchanges between input and output. In this way, Parsons' definition of legitimacy corresponds with Peter Stillman's definition of legitimacy in the Introduction of this thesis. In this case, legitimacy is understood in a context of domination and compliance where such social action of the ruled and the rulers becomes meaningful.

According to Parsons, the State has a commitment to maintaining the society's value pattern and derives legitimacy from that maintenance. Individuals then comply with the rules because of their "commitment to values that are perceived to be the foundation for norms" (Lackey 1987: 68). Parsons states the criteria for legitimacy involves value maintenance and the commitment to particular values, and says it takes place within a structure of domination and compliance. From this, it can be said that protesting is meaningful action that serves as an input regarding legitimacy. When the mode of interaction is compliance in exchange for value commitment, non-compliance is indicative of a conflict of legitimacy based on value preservation and maintenance.

Where Parsons describes the role of legitimate authority as value commitment, Weber describes the characteristics of legitimate authority in a structure of domination

and compliance. Weber also explains social action within a particular structure of domination and compliance. Like Parsons, Weber can be used to understand the subjective dimension of politics (Patrick 1984) from subjective orientations, and the behaviour resulting from these orientations. Weber furthers the understanding of how an individual relates to the political system, evaluates authority, and behaves within in a structure of domination and compliance based on these orientations. Weber's work focused on "the subjective environment in which political action takes place and in which individuals are likely to structure and respond to situations" (Kavanagh 1972: 64). Social action is motivated behaviour that is directed by means and ends towards specific objects and relationships – or oriented social action. There are four types of oriented social action according to Weber: Affectual, Traditional, Instrumental-Rational and Value-Rational. It is the latter two forms of oriented social action, and their relationship to each other, which provide the basis for understanding legitimacy, protest, and militias.

Instrumental-Rational action is action which is calculated as to the "ends, the means and the secondary results that are all rationally taken into account and weighed" (Weber 1968: 26). The assumption with this type of action is that an individual is motivated to behave in a manner that best serves the interests of the actor, through the calculation of costs and benefits.

Value-Rational action, on the other hand, is action that is motivated and directed by the values and the belief in the value of the action undertaken. According to Weber, Value-Rational action is "determined by the conscious belief in the value for its own sake of some ethical, aesthetic, religious or other form of behaviour, independently of its success" (Weber 1968: 25). Weber's examples of "pure value-rational orientation would be the actions of persons who, regardless of possible costs to themselves, act to put into practice their convictions of what seems to them to be required by duty, honor, the pursuit of beauty, a religious call, personal loyalty, or the importance of some 'cause' no matter in what it consists" (Weber 1968: 27). As Weber explains, the action is rational because it planned by the actor who is conscious of his or her beliefs. The action is the "consistently planned orientation of its detailed course to these values" (Weber 1968: 24). Thus, Value-Rational action is motivated and directed by a system of values. The Value-Rational actor is "motivated value rationally by a sense of duty" (Weber 1968: 28). When guided by the belief in legitimacy, the Value-Rational actor follows rules and norms out of the value of duty

to the legitimate order. In this way, the Value-Rational actor behaves in particular ways that gives their action this type of meaning. It could be said that the emphasis on duty and obligations to act in accordance with one's values, principals and convictions is paramount for the Value-Rational actor. This type of social action explains how individuals or groups with Value-Rational motivations come to evaluate legitimacy.

Weber discussed the action as an ideal type, and "pure forms" (Weber 1968: 27) of Value-Rational action. From the perspective of militias, such pure Value-Rational action would be the actions of a soldier in war, fighting for a principle or conviction as patriotism and reverence for the nation, willing to die for such principles. Value-Rational action can be used to describe a range of behaviour which emulates the convictions and principals of the actor, such as protest behaviour. The Value-Rational orientations of protest or social movements is thus explained as protest action being undertaken to uphold values and is not evaluated in terms of the costs of such an action. The action itself is defined in terms of its meaning based on these values: "for instance, if a group of political demonstrators throw themselves against the police cordons of a government to protest an action they believe to be intrinsically evil, that is value rationality: the demonstrators have made a choice that their protest is worth conducting, no matter what it costs them (for example being sent to jail)" (Collins 1986: 43). Protest behaviour becomes meaningful action because it is embedded in a particular context of values, norms, rules and symbols of that political culture: "this type of action, following the ideal type method, can be regarded as having an internal logic referring to patterns of cultural meaning and their implementation in action" (Holton and Turner 1986: 45). Thus, we can understand the protest behaviour of militias based on Value-Rational orientations, but this action gains meaning in a specific context of domination and compliance explained by Weber.

The next section will now look at how social action corresponds to types of legitimacy in a structure of domination and compliance, and how disobedience or non-compliance of militias takes the form of Value-Rationality against Legal-Rational domination.

Social Action and Legitimacy

Weber argued that a political system is a structure of social action, where legitimacy describes the type of social action and social relationships as one of domination and compliance. In the political system, patterns of authority and obedience are demonstrable through social action that indicates the motivations for compliance and obedience. According to Weber, social action is oriented by the belief in a legitimate order: the right of authority to seek compliance with the rules and norms. Legitimacy does not just define the orientation to rules in terms of compliance, but the orientations which define non-compliance or disobedience: “orientation to a legitimate order is not limited to the extent to which its rules are lived up to, but also includes their evasion and defiance” (Parsons 1949: 650). The theory of social action is that existence of norms and rules directs the orientations of individuals and gives meaning to their action: “the existence of the order makes a difference to the action and this difference may be imputed to understandable motives” (Parsons 1949: 650). In this way, for example, like in the game of baseball (Walker et al 1991: 5) if compared to the structure of domination and compliance in society, the actions of running from plate to plate is only meaningful when someone knows the rules, so that “meaningful action is specific to the legitimate order in which it is embedded” (Walker et al 1991: 5). Legitimacy for Weber then, is “a system of norms governing conduct, or at least to which action may or must be oriented” (Parsons 1949: 661).

Weber’s typology of action indicates the different motivations for compliance. The structure of domination and obedience determines the type of oriented social action, or motivations for compliance within a society which correspond to the type of authority. Why do they correspond? Within a social system, the rulers and the ruled establish a social relationship, a type of contract where the justifications or rationales for claiming legitimacy are based on the same rationales for compliance: “these rationales can exist as motivations for obedience on the part of power subjects or as legitimations of command advanced by power holders” (Matheson 1987: 200). Thus, social action and the motivations for obeying rules are structured to correspond to the type of authority. These “motivations for obedience were found in conjunction with certain types of domination, and these motivations for obedience simply mirror the rationales for command that are offered by power holders” (Matheson 1987: 206). A political system, then, is structured on the type of

actions which demonstrate why individuals are obedient, and types of authority which can justify their domination based on a system of actions which justify its establishment, “since the type of obedience forms part of the very definition of authority as legitimate” (Matheson 1987: 213). Thus, Weber’s classification of types of domination is based on the types of actions which explain and justify the domination. The belief in legitimacy “just mirrors, on the side of the ruled, the rulers claim to legitimacy” (Merquior 1980: 133). Thus, Weber’s typology of social action is meant to correspond to the types of legitimacy and legitimate authority.¹³ The following table demonstrates this correspondence:

Social Action	Legitimate Authority
Affectual	Charismatic
Traditional	Traditional
Instrumental Rational	Legal-Rational
Value-Rational	

Value-Rational legitimacy is seen as Weber’s ‘missing legitimacy’. Weber defines Value-Rational legitimacy as a “belief in the absolute validity of the order as the expression of ultimate values of an ethical, aesthetic or any other type” (Weber 1968: 33). It exists as a type of social action and legitimacy, but disappears from a typology of legitimate authority. If the classification of action is meant to correspond to the classification of legitimate authority, why the lack of symmetry between the typologies? Weber left clues as to why this was the case, but it is not clear as to why Value-Rational authority was missing.

It is believed that Weber omitted Value-Rational authority for several reasons. Firstly, it was assumed by scholars “that Value-Rational authority did not have a distinct organizational structure” (Satow 1975: 527). Joyce Rothschild-Whitt similarly states that such an authority did not exist because authority required “types of organizations to implement its aims” (Rothschild-Whitt 1979: 509). Roberta Satow believes that “the fourth type of authority may have been omitted because legitimate

¹³ Weber examined this in terms of ideal types – pure examples for the purposes of clarifying the concepts (Bendix 1960). However, Weber acknowledged that multiple motivations for compliance or non-compliance and types of domination existed simultaneously in society. Further, this existence could provide the source of conflict or changes in the type of domination that a society would be structured on. Thus, the ideal types were a methodological way of dealing with types of domination corresponding to a type of social action.

authority is a specific kind of domination...he never considered the possibility of an administration based on Value-Rational authority” (Satow 1975: 527). Secondly, the problem with Value-Rational authority according to Barker, is that while being “a powerful form of legitimacy it is not a species of political or state legitimacy, for in a situation where it can be observed, the state is incidental, the mere bearer or medium for the expression or the pursuit of goals or values which have their origin elsewhere” (Barker 1990: 49). Barker believed that values and goals must originate with the State. Thus, legitimate authority required the State to be the author of those values and goals, while Value-Rational legitimacy presupposed that the State is merely an agent, or expressor of them. Thirdly, it was assumed that the modern State was structured on Instrumental-Rational orientations, so that this social action would be mirrored by Legal-Rational authority.

According to these theories, the inclusion of Value-Rational authority is problematic. As a result, the issue of inclusion has been relatively unexplored, with the exception of those who seek to understand the reason for its omission. No further exploration has examined the nature of legitimacy and challenges to it in the terms that will be discussed here. It will be shown that this type of authority not only exists, but its examination presents legitimacy in terms which are a departure from normal conceptions of the subject, illuminating the conflict with authority and the basis of the challenges by specific groups to legitimate authority. Value-Rational authority can be reconciled to fit into the typology and logically follow from Value-Rational social action.

Firstly, the problems associated with the inclusion of Value-Rational authority must be addressed. The issue of Value-Rational legitimacy as being a species of State legitimacy is attempted by Barker. For Value-Rational legitimacy to become legitimate authority, Barker argues that the State “can be seen as both the author of its own legitimacy, and the expressor of some principle in which it is not the source, if it is seen in some sense as the higher intelligence of society, presenting to its subjects an image of themselves or their destiny which they could not themselves have articulated by which they recognize” (Barker 1990: 52). Because the State has a monopoly of coercion, the State is in a unique position to express values. The State becomes “the unique representative of values or rights or characteristics which those, or some of those whom it governs express only imperfectly” (Barker 1990: 52). Thus, Barker identifies Value-Rational authority as the State being the higher expression of the

identity, destiny, rights and values of its subjects, and is thus the authority of substantive policies or values.

This is complemented by various other interpretations as to the nature and character of Value-Rational authority. Satow interprets Value-Rational authority as an ideological authority, so that “obedience is given to an ideology...those in authority are therefore also obliged to obey the norms in giving orders and the content of the orders are legitimized by their relationship to the goals of the ideology” (Satow 1975: 527). What are the values to be upheld? Satow believes that the values may be absolute – religious values in particular, while Barker identifies the expression or pursuit of goals and values which are specified by the social system, so that if fighting communism is valued, than it is pursued as a policy and expressed as a value. Thus, in a structure of domination and obedience, Value-Rational motivation is “one of the most powerful justifications of obedience, when people believe that the regime which they support, their regime, is building communism, or fighting it, or preserving the national way of life, or achieving an Islamic republic” (Barker 1990: 49). From this, we can say that the values are context specific. The values are specified by the social system in question which give legitimacy to authority.

In the context of the United States, it is the values specified by the political culture which provide the Value-Rational motivation for compliance, while also determining the criteria for legitimate domination. In this way, Value-Rational authority can be said to be the right to command obedience on the basis of upholding the values of the political culture. It is the communication of a value system as well as the commitment to the pursuit of ideological goals and objectives defined by the value system. What this means is that the State is not only an actor who must communicate a commitment to the preservation and maintenance of values, but as the medium of expression for the values of a society. Further, it must be believed that the State as an institution embodies these values and principals for legitimacy, reflected in the type of domination and accompanying administrative structure. This will be examined further in relation to militias.

Secondly, the examination of the modern State demonstrates the existence of Value-Rational authority. The modern State does not preclude Value-Rational motivations – rather, it fosters them. In fact, it is apparent that Weber believed that in the modern State there is an inherent conflict between multiple motivations for

compliance and non-compliance, causing problems for authority in the modern world. One of Weber's main concerns was with the tension in society represented by the conflict between Instrumental-Rational orientations and Value-Rational orientations. According to Rothschild-Whitt (1979: 510),

The tension between substantive or value rational action on the one hand, and formal or instrumentally rational action on the other, was well recognized by Max Weber. For Weber, formal rationality and its main locus of expression in bureaucracy would come to dominate modern society, but it would be continually confronted by the inevitable conflict between an abstract formalism of legal certainty and the desire to realize substantive goals. The modern legal order could not exclude a substantive theory of natural law any more than the modern bureaucracy could eliminate all moral values.

Thus, the modern State was thought to be the domain for conflict between Value-Rational Legitimacy, stemming from Value-Rational motivations, and Legal-Rational Authority, stemming from Instrumental-Rational motivations. According to Weber, Legal-Rational authority would face problems because of the absence of values, and Value-Rational authority would have problems because the modern State could never live up to absolute values.

This enables us to address the third problem of bureaucratic administration. From analyzing Weber, it is clear that the existence of multiple motivations also entailed the existence of more than one type of authority in the structure of social action. The examination of legitimacy in the United States where the political culture requires values for legitimacy, indicates that these types of legitimate authority are distinct, but also symbiotic. Value-Rational authority exists through the State and its structures, and Legal-Rational authority requires values as its foundation and must express those values. One cannot exist without the other. By examining the reasons Value-Rationality was excluded as a type of legitimacy, and the way it can be reconciled as a type of authority, we can discuss the nature of protest and legitimacy in the United States, and how it pertains to the militia movement.

While it can be argued that the two types of authority exist simultaneously in the United States, the mere existence of two types of authority gives two choices for those who evaluate legitimacy. The existence of the two types of authority simultaneously creates the opportunity for challenges to authority. The modern State inevitably must define itself by its Legal-Rationality, and those who challenge it identify with Value-

Rationality. It could be said that Value-Rational legitimacy in a society where domination and compliance is defined by norms and rules, allows conflicting groups to appeal to an alternative form of legitimacy: “Weber noted that opposition groups in society typically appealed to substantive moral values (such as justice) which a formal, rational system of law cannot easily recognize” (Lash and Whimster 1987: 122).

Value-Rational legitimacy is an alternative or competing form of legitimacy to Legal-Rational authority that is appealed to by groups who are challenging the legitimacy of the State. The nature of Value-Rational legitimacy in terms of Natural Law explains this further. Weber believed that the criteria for Value-Rational legitimacy were ideally represented by Natural Law. Legitimacy, according to Weber, must rest on values and meaning. Natural Law was treated as the purest form of value rationality (ranging from general values to absolute values). For Weber, the modern State mitigates against the presence of Natural Law and because of this, there is disenchantment and lack of meaning for individuals in their political system, leading to illegitimacy. This is because “a state which does not govern in accordance with the laws of nature can, in principle, be rejected as illegal and illegitimate. However, natural law has been robbed of plausibility and consequently the modern State rests ultimately on ‘arbitrary enactment’” (Turner, 1992: 359).

The conflict between Natural Law, as a form of Value-Rationality and Legal-Rationality leads to the appeal to Natural Law by those that protest Legal-Rational authority. For Weber, Natural Law is a form of Value-Rationality and in this study can be used as a way of describing the principles of protest against Legal-Rational domination. The appeal to Natural Law justifies protest and rebellion. It was appeals to Natural Law that were central in the independence of America from the laws which subordinated Americans to illegitimate authority:

It is well known that the second paragraph of the Declaration of Independence, that in which the general theory of government, and in particular the right of revolution against an unjust government are set forth, is a paraphrase of certain of Locke’s statements for not only did Locke expound a doctrine of binding authority of the laws of nature and the limitations placed upon governments by the rights derived from these laws...[he] upheld the right of the subjects to appeal from the rules of a tyrannical government to the judgment of God (Wright 1962: 10).

Natural Law thus defines a different structure of domination and compliance. Value-Rational action is defined as a duty to obey one's conscience, and authority is given to the individual. The use of Natural Law is a weapon (Wright 1962: 341) used against Legal-Rational authority. The key was placing the legitimacy of the individual above that of the State, and the capacity of the individual to challenge illegitimate authority on the basis that the values of individual rights were not upheld. In the American political culture, Natural Law is

Charged with a radical liberal and revolutionary potential to challenge all illegitimate state authority and edicts by submitting these to rival sovereignty of individual reason and ethical judgment. Since private reason, not civil authority, defined true law, natural law paved the way towards principled civil disobedience and the liberal legal order based on the inviolable rights of individual moral consciences (Veatch 1978: 32).

The rival claim of Value-Rationality as a form of action and legitimacy in the structure of domination and compliance causes problems for a regime for two reasons. Firstly, the regime cannot easily assimilate such claims because of formal rational legality that has trouble recognizing or reconciling such claims within the legal rational structure. Secondly, the legitimacy of the regime is jeopardized by Value-Rationality because the regime can be more easily challenged on the basis of values which individuals use to set up an 'ideal' that cannot be lived up to. As the structure of authority is Legal-Rational, Value-Rational claims become external to the structure: they are outside the system of compliance and domination and become protest behaviour. Value-Rational action seeks expression outside the legal structure because the structure does not accept the type of action – the action does not mirror the structure of authority. Such behaviour is rather construed as extremist, illegal and deviant.

From this, we can understand Value-Rational orientations and Value-Rational legitimacy in terms of the conflict over legitimacy. Further, Value-Rationality provides the criteria for illegitimate domination and the motivations for non-compliance. Value-Rational action is observable as protesting behavior. It is observable in the behaviour of individuals motivated by values, regardless of the costs of dismissing the rules that would proscribe behaviour. This is because Value-Rational legitimacy is an alternative legitimacy appealed to by protesting groups who

challenge the legitimacy of the State. Further, protest groups like militias appeal to the values of the political culture to protest.

The structure of domination and compliance is such that militias perceive that authority should be Value-Rational because they are oriented towards a system of values, and assess legitimacy of authority according to how the authority lives up to Value-Rational criteria. Protest against Legal-Rational authority in a modern liberal State is served best by an appeal to values, because legitimacy based on values provides the opportunity for the challenge to Legal-Rational authority.

Hypothesis

Based on the understanding of legitimacy and protest in this chapter, it can be hypothesized that

Militias challenge the legitimacy of the State as Legal-Rational authority. This form of domination is challenged with Value-Rational action as a form of non-compliance. This action corresponds to the criteria for legitimacy being Value-Rational legitimacy, based on the congruence of the value system of the political culture and governmental output.

Conclusion

This chapter has shown that Value-Rational legitimacy exists, and is used to challenge Legal-Rational legitimacy. Militias are thus Value-Rational in oriented social action, based on their motivated behaviour, and they challenge Legal-Rational authority by the criteria of Value-Rational legitimacy. Thus, Value-Rationality explains two things. Firstly, the protest behaviour of militias as motivated behaviour which is meaningful in a cultural context and structure of domination and compliance. In this context, that form of domination is understood as Legal-Rational. Secondly, Value-Rationality provides the criteria for legitimacy as the congruence between the values of the American political culture in terms of its symbols, beliefs and rules and governmental output. As such, militias attack Legal-Rationality using Value-Rational action as a form of non-compliance. Further, the use of the political culture to justify

protest focuses on the nature of values, which locates the power of the protesters in sources external to governmental control and authority. Natural Law is the form of Value-Rationality which militias have seized upon: for the inherent reason, duty and responsibility it endows the individual with over authority, and more specifically, Legal-Rational authority. Militias challenge Legal-Rational authority on the basis that it lacks rightful authority. It is power without authority, because authority should reflect and express values.

It has also been shown that the formation of militias as a protest movement is symptomatic of fragmentation, or a conflict over the political culture in terms of value expression. A political culture can be fragmented to the degree that protests over the expression of values cause conflict between groups within society and the State. It is over the expression of the fundamental values of the American political culture which define legitimacy that is in conflict. Groups like militias which have a conflict over legitimacy can appear to fragment from the rest of society, because they have different legitimacy formulas and orientations to political life resulting in protest.

This protest needs to be examined as a conflict involving actions and interactions by protesters who challenge the State, and the State which reacts to such challenges. The protest of militias cannot be understood just by examining the protest against the State, which may appear to be immune to the protesters or present itself as a victim of unjustified claims of illegitimacy. Any conflict involves not only the actions of the protesters, but also the actions of the State, which responds to any challenge. In the next chapter, the aspect of this conflict over legitimacy between protesters and the State is examined. What will be shown is that conflicts over legitimacy constitute a process of legitimation.

CHAPTER TWO

LEGITIMACY AS A PROCESS

Chapter One examined the basis of the protest by militias as Value-Rational in character. Militias are protesting against governmental legitimacy using a type of legitimacy which opposes Legal-Rational authority. This chapter seeks to examine how this challenge to governmental legitimacy involves a reciprocal process characteristic of conflict. In this conflict, the State also challenges the legitimacy of protesters. Conflicts over legitimacy involve a process of legitimation and delegitimation, or the process of making something legitimate or illegitimate. Legitimation and delegitimation are interdependent, so that by delegitimizing the opponent in a conflict, the actor is legitimating the self.

This chapter will demonstrate that firstly, there are particular ways that protest movements challenge governmental legitimacy. Secondly, protest behaviour evokes particular responses from the State as an actor, as the State attempts to remove the legitimacy of the protest. Thirdly, legitimacy is a dynamic concept that can be applied to understand the conflictual relationship between protest movements and the State. Chapter two not only explains legitimacy in terms of conflict, but legitimacy as a dynamic process of action and reaction by the State towards protest behaviour, and the relationship the movement has to the State as an actor. By examining the dynamics of conflicts over legitimacy and the processes it involves, we can also come to understand how the conflict can become violent, and how to better manage such conflicts.

The chapter is structured as follows. Firstly, legitimation and delegitimation are defined and explained as an interdependent process that characterize the conflict between militias and the government. The rest of the chapter is divided into two parts. Part One examines social movement theory in terms of conflict with the State. Further, the protest behaviour of militias in terms of grievances, objectives, tactics and strategies are discussed as an aspect of the legitimation process. Part Two discusses the ways the State typically responds to protest in terms of legitimation and delegitimation. The way the State has responded to the militia movement reveals

particular tactics and strategies. The power of the State to delegitimize the movement and legitimate its institutional position is also attributed to various agencies of socialization. The State has alliances with institutions of socialization, like the media, monitoring groups and academia which can be described as “ideological state apparatuses” (Fiske 1992: 287). These institutions share the establishment perspective and safeguard the State against challenges by their own institutional tactics and strategies.

Legitimation and Delegitimation

Legitimation has been defined as “the process by which some state of affairs is to be made legitimate” (Luhmann 1987: 110). Legitimation is about legitimating the self and in the process determining what is illegitimate: “the very counterpoising of one who legitimates himself and the other who is considered illegitimate involves a conflict, in so far as the other side is also involved in a similar process with the role reversed. This cannot but create motives for conflict and tendencies toward definitive solutions” (Cipriani 1987: 9). Thus, delegitimation is the other side of the legitimacy coin: it is the active process of making something illegitimate.

Most theories of delegitimation are considered from the perspective of protest and therefore lack the reciprocal element involved in the process of legitimation. Beetham states that delegitimation “occurs when the subordinate withdraw their consent and engage in actions” that range from simple “non cooperation and passive resistance to open disobedience and militant opposition” (Beetham 1991: 19). However, delegitimation is not just a failure of the State to legitimate itself, but the successful product of non-compliance on the part of the protesters: “delegitimation and the crisis of legitimacy are not merely the negative results of a legitimation which fails to produce legitimacy at the required level. Delegitimation may be the positive result of an active process, challenging existing Herrschaft and questioning its legitimacy creating new stable conditions for refusing loyalty to Herrschaft” (Fraser 1987: 132).

Another theory of delegitimation is advanced by Ehud Spriznak, who believes that the process of legitimation “implies a struggle of a challenge group against the government” (Spriznak 1995: 18). Like Beetham, Spriznak recognizes the process, but focuses on the psycho-political identity formation of the right wing extremists who

are transformed into terrorists in their challenge with the State. Although he focuses on the nature of terrorist extremists, his theory is instructive in that it highlights a process involving action and interaction and an incremental process of delegitimization. Jeffrey Kaplan criticizes Spriznak for not recognizing the process as a reciprocal one that causes reactions by the protesting group and by the State, resulting in a process of mutual delegitimization: “not only is the nascent dissident group engaged in a process of stripping the regime of its claim to legitimacy, but either simultaneously or more often as a precondition for the radicalization of right wing groups, the dominant culture on both the state and non-state levels have anathematized the discourse of the radical right” (Kaplan 1992: 75).

Delegitimation should be viewed as interdependent with legitimation, in that the process cannot involve one without the other. While these writers focus on delegitimation as the withdrawal of consent on the part of the governed, the conflict also involves a State challenge to protest which is more than opposition: delegitimation is the active process of eroding the legitimacy of the opponent. What is also interesting and needs to be understood is the role of the State in this process: there are two sides to every conflict. Both the State and the movement are involved in a conflict over the political culture, and thus, both use the symbols, beliefs and rules of the political culture to legitimate themselves and delegitimize the movement. For example, James Davidson Hunter states that “by labeling the opposition an extremist faction that is marginal to the mainstream of American life, each [actor] struggles to monopolize the symbols of legitimacy. This is seen most clearly in the effort of each side to depict themselves as the defenders of institutions and traditions of American life while depicting the opposition as the foes” (Hunter 1991: 147).

PART ONE

Social Movements

Legitimation and Delegitimation

Social movement theory describes the role of social movements as “overt challenges to authorities...it is the series of action campaigns, constituted in interaction with authorities, that defines social movement...”(Kriesi et al 1997: 64). The term ‘social movement’ means “ a sustained series of interactions between the state and challenging groups” (Jenkins and Klandermans 1995: 5). These theories define movements in terms of challenges to legitimacy, and as a dynamic interaction with authority. Social movements exist in a context of conflict. The emergence and development of social movements reflects “dissatisfaction with, and opposition to, certain forms of power arrangements and authority relations, as well as the normative order these relations engender” (Pakulski 1991: 54). Thus, “the nature and development of social movements cannot be understood without reference to the central role of the State. As the institutionalized center for the legitimate monopoly of violence, the State is the ultimate arbiter for the allocation of socially valued goods” (Jenkins and Klandermans 1995: 3). Social movements are characterized by extra-institutionality and therefore challenge the structure of domination and compliance. They challenge the “popular assumption about the institutionalized – and therefore settled, routinised and predictable – nature of the modern social order.” (Pakulski 1991: xiii).¹ As value oriented in character, they also challenge legal rationalism:

While opposing formal rationalism in its concrete social manifestations, the movements adopt a substantively rational idiom of criticism. Regardless of their particular themes of protest, they vindicate values, or more precisely, object against the dissipation and bracketing of values that formal instrumental rationalism engenders. By bringing these bracketed values to the fore, they challenge the legitimacy of a social order which dissolves its legitimizing principles in endless chains of instrumental calculation and procedural rules (Pakulski 1991: 164).

According to Pakulski, social and political protest movements not only seek the restoration of values, but also challenge the modern state for its functions as a rational,

¹ As legitimacy is defined as congruence between values and behavior and policies, social movements challenge legitimacy regardless of whether they are issue or policy oriented.

bureaucratic administration that is unable to emulate values. Social and political movements protest a perceived loss of values that the modern State has not preserved or maintained

Thus, social or protest movements are defined by their objectives to change or challenge power and legitimacy on the basis of values. Because of the Value-Rational orientation of social movements, militias are a formidable threat to the State. This is because the movement challenges the State where it is most vulnerable – in relation to ideals and standards (Pakulski 1987: 136).

Social movements are value-based; objectives and tactics revolve around values, highlighting a value conflict with the State. The emergence and mobilization of a protest movement initiates a cycle of action and reaction, legitimation and delegitimation by the protest movement and the State: “mass action raises issues, publicizes grievances and helps to aggregate and accumulate them under the umbrella of general value slogans. This in turn further undermines the legitimacy of the established political institutions thus starting a vicious circle of delegitimation” (Pakulski 1991: 54). This conflict process reveals more than just the basis of the movement’s challenge to legitimacy. It demonstrates how the political culture and values are used to delegitimize the State and legitimate themselves. This conflict “brings to the agenda of public concern the general value standards underlying the socio-political order, such as justice, equality, dignity and freedom” (Pakulski 1991: 54).

While values remain the basis of the conflict, the way social movements interact with the State involves a process of using tactics and strategies to challenge legitimacy using the resources available to them. As social movements have little power relative to the State, their resources are values. Such movements need to find ways to challenge the State that will give them legitimacy as well as delegitimize the State based on values. Thus, symbols, beliefs and rules of American political culture become resources to legitimate the movement and delegitimize the State. They seek to delegitimize authority by expressing the values the government is apparently neglecting, or demonstrating that they are adhering to an alternative value system. Militias have their own value output – they believe they are expressing the rights, the identity the goals and objectives of all Americans with the objective of Value-Rational legitimation. Also, militias use specific tactics and strategies to legitimate the

movement and delegitimize the government and any opponents that are perceived to be attacking them.

Political Culture

In the conflict with the government, the elements of political culture become the means by which the militias legitimate themselves and delegitimize the State. The militia movement uses the beliefs inherent in the political culture. Chapter One demonstrated how these beliefs provide an opportunity for challenging the State on ideological grounds. The beliefs of the political culture are used by militias as a means of legitimating the movement. The framing² of social movements in terms of values is a strategy in legitimation because “by framing their mobilization appeals in the language of cherished democratic principles” (Snow et al, 1997: 237) social movements “seek to redefine their public image as a movement serving the best interests of their country, in part through revitalization of what they see as atrophied values...” (Snow et al 1997: 237). Also, as shown in chapter two, the nature of the political culture is such that the legitimacy of protest can be justified by arguments such as Natural Law which locate power external to authority. In particular, the appeal to Natural Law was thought by Weber to be endemic to a legitimacy conflict, and a reflection of conflict in modern society against the State: “Weber regards modern society as an arena of group conflict...groups organize themselves to achieve greater rewards through political means which are often accompanied by appeals to...substantive rights or natural law” (Turner 1981: 359). Heberle states that “all progressive movements within Western civilization...were based on the natural rights philosophy or the theory of natural law” (Heberle 1951: 46) because “only when the idea arises that there is another, original order, a natural order which has been distorted by human government” (Heberle 1951: 45) can a movement hope to achieve change. Thus, “in the attempt to justify their aims, modern social movements typically resort to abstract principles concerning the nature of man, his destination and his natural rights in combination with a critique of the existing economic, political, and cultural institutions” (Heberle 1968: 440). Further, Lockean Liberalism, Natural Law (and natural rights), Conservatism, Americanism, Nationalism and other principled beliefs become important resources in a conflict which legitimates the movement by their use.

The appeal to these types of beliefs in the political culture appeals to the moralistic nature of the beliefs. As such, militias are ‘moral entrepreneurs’ who “appeal to higher loyalties, including natural law, Christian or traditional values... moral indignation is a central attribute of this form of protest” (Anleu 1991: 53). These beliefs form the ideology of the movement, determining the objectives of militias. Americanism is called upon by right wing groups who perceive themselves as moral patriots who will return America to the principles and values that made America ‘great’, embodied by the American Republic (Bell 1964: 320-321). Militias advocate the belief value of nationalism as part of their objective to restore horizontal identifications with co-nationals as a protest against central authority. Lockean Liberalism is used by militias to emphasize the rights of the individual over authority. Further, conservatism is emphasized as a value over liberalism to demonstrate the need to return to tradition, community and parochial identifications.

The militia movement uses the political culture by demonstrating that political authority does not hold, or neglects the same beliefs by attacking policies and behaviour. Also, the militia movement demonstrates that the government holds alternative, or un-American beliefs. In this way, the militia movement believes that the government is Communist, or Socialist, while they espouse the belief values of Lockean Liberalism, Natural Law, Conservatism and Liberalism, Americanism, and Nationalism. The next chapters will examine how the Militia of Montana and the Michigan Militia Corps use the beliefs as values in the process of legitimation.

Like beliefs, symbols are used by militias in the process of legitimation. As discussed briefly in chapter one, there is no monopoly on the interpretation of symbols, or their display. For the movement, symbols are a means of legitimation through their display. Symbols are a resource to create legitimacy through their use, for social movements as well as the State. This is because symbols “can be used to challenge [governmental] decisions and mobilize support for new demands” (Cobb and Elder 1983: 116). For movements, myths and symbols are used “to persuade an audience that they conform to the principals” that define legitimacy, and “to induce in the audience the perception of themselves as legitimate” (Cohen 1975: 1). The use of symbols in a conflict gives power to protesters in challenging the State, increasing legitimacy and thereby enabling protesters to mobilize support: “the solidarity of a

² Frames function to give meaning to situations, relationships, and events, and thereby “organize experience and guide action” (Snow et al 1997: 235).

mobilized group will depend heavily upon the extent to which unifying symbols capture the fear, anxieties and frustrations of its adherents (Cobb and Elder 1983: 17). Thus, symbols communicate the grievances of the protest and serve “as a rallying point for the mobilization of support for demands and provide a catalyst for the organization of a political movement” (Cobb and Elder 1983: 17), thereby legitimating the movement through the use of these symbols which provide the rationale for protest. The tactic of framing revolves around the use of cultural symbols: “movements frame their collective action around cultural symbols that are selectively chosen from a cultural toolchest and creatively converted into collective action frames by political entrepreneurs” (Tarrow 1994: 119). Symbols are thus one of the principle means of legitimation for the movement, while they are also used to delegitimize political authority by demonstrating the incorrect interpretation of those symbols, the lack of their use, or incorrect nature of their use. This will also be shown in chapters four and five in relation to the Militia of Montana and the Michigan Militia Corps.

It should also be said that militias do not use symbols in the American political culture, like the Constitution, in a Traditional or Legal-Rational sense, although such symbols embody these types of legitimacy.³ When militias refer to symbols like the Constitution, it is not because it is revered out of a sense of tradition (because it has always been there), or because it is a legal document. It is not obeyed because of habitual compliance or a Legal-Rational sense of obeying the law. Rather, it is referred to in a Value-Rational sense of protest and conflict over legitimacy based on values. Symbols like the Constitution are interpretive tools used in the legitimation process to challenge a specific type of domination. Militias interpret these symbols through Value-Rationality because of their grievances and the nature of their protest.

A Value-Rational interpretation is seen by militias to legitimize their protest and justify their conflict against a particular type of domination. Legal-Rational legitimacy, Traditional legitimacy and their corresponding social actions do not emulate or articulate the protest against Legal-Rational authority. While the values in the American political culture may encompass tradition and laws, militias interpret this in the context of the political culture and how these values are reflected in

³ As stated before, although Weber examined ideal types of legitimacy, any modern society is likely to contain a mixture or combination of these ideal types. Symbols, beliefs and rules of the political culture have elements of other types of legitimacy, and the social action of militias may contain references to other types of legitimacy. However, the protest of militias is primarily based on values which defines their oriented social action and the legitimacy they appeal to as Value-Rational.

governmental output. Due to the fact that symbols like the Constitution are interpretive, militias highlight aspects of the Constitution which emulate the militia ideal and justify protest against a tyrannical authority. Value-Rational legitimacy is a protest legitimacy which causes the Constitution to be interpreted as legitimating social action which is non-compliance, not habitual compliance as Traditional legitimacy entails or compliance out of the fear of sanctions as Legal-Rational legitimacy entails. For militias, the Constitution defines legitimate protest and emulates the militia and Republican ideal. Militias have tapped into the revolutionary ideal embodied in the Constitution which allows militias to equate Legal-Rational authority with tyranny. For militias, their Value-Rational social action leads them to interpret symbols in the political culture in Value-Rational ways to challenge and justify their protest.

Also, the way the militia movement approaches the 'rules of the game' demonstrates how such rules are used in the process of legitimation. As such, the 'rule of law' is also used in a conflict, and constitutes "not simply a powerful hegemonic instrument" (Lears 1985: 590) of the State, "but also a fund of beliefs and values from which the less powerful could draw sustenance. The meaning of the law could be contested by conflicting social groups" (Lears 1985: 590). Social or political protest movements operate within the structure of domination and compliance, where the rules and processes of participation define the parameters of social action, including disobedience. Thus, the rules of the political culture not only determine the extra institutional nature of the movement, but the way law as the embodiment of rules is dealt with for legitimation of the movement and delegitimation of the State. The militia movement, for legitimation, must demonstrate that the State transgresses the rules of the game. These rules are defined by the Constitution, the Bill of Rights, and the Declaration of Independence.

Rule values are distinguished by militias from positive law and Legal-Rational legitimacy. Positive law is only considered legitimate to the extent that such laws emulate the values, beliefs and symbols of the political culture. When militias appeal to Value-Rational legitimacy, they distinguish between what is 'legal' and what is 'lawful'. As stated previously, militias refer to the Constitution as a symbol in terms of beliefs, values and ideals, not a legal document by which they measure legitimate authority by laws. As militias believe, the importance of the Constitution does not lie in the fact that it is a 'legal' document, as the law can be misinterpreted, perverted and

manipulated against citizens by the State. According to the militias, the role of the State as a bureaucratic administration is to create laws for its own selfish pursuit of power, or to abuse laws to serve the ends of those in power. They believe that laws can be used as a weapon or guise for legitimacy and to criminalize groups like militias. The only way to return to legitimacy is to emphasize the values of the political culture, including the rules of the game. Thus, they perceive that it is only through values and Value-Rational legitimacy that a Legal-Rational authority can be challenged.

Because the State is seen as having the monopoly on what is 'legal', militias feel authorized by Value-Rational legitimacy to emulate the Constitution and judge authority by standards of being 'lawful' – that is, the adherence to values as reflected in these laws. Thus, the Constitution is not emulated in a Legal-Rational sense because they feel that values and Value-Rational legitimacy determines what is lawful and whether the 'rules of the game' are being adhered to. So while the militia movement advocates rule values, such as the rule of law, and the rules of the game as defined by the Constitution, they do so through the interpretation of Value-Rational legitimacy, not through Legal-Rational legitimacy. Moreover, the Constitution is the embodiment of Natural Law, versus positive law for militias. This distinction differentiates between emulating 'rules' which include natural law and natural rights, and positive laws which are no longer reflecting the political culture as a value system. They point to the rules which justify non-compliance, not their motivations for compliance in a Legal-Rational sense. Through this interpretation, the protest behaviour of militias is justified against an unlawful authority, and that the rule values of the political culture call for this protest. It is the rules of the game which justify militia protest and non-compliance against an authority lacking legitimacy.

The grievances of militias pertain to values; the governmental output does not reflect the values of the political culture. It will be shown that Value-Rational legitimacy explains the type of political grievance militias have against Legal-Rational authority who has neglected the beliefs, symbols and rules of the political culture. The interpretation of the Constitution in terms of beliefs, symbols or rules by militias is one where these values must be reflected in governmental output. These beliefs, symbols and rules, as it has been said, are repositories of values, and those values are used in the process of legitimation to judge governmental output. Also, their grievances pertain to the type of domination being challenged. These grievances pertain to the nature of authority as Legal-Rational, which causes protesters to use

beliefs, symbols and rules as values and Value-Rational legitimacy to challenge this type of domination. It is through values that Legal-Rational authority can be challenged, not on the grounds of what is 'legal' or what is 'traditional'. Further, militias are not trying to evaluate authority by standards of tradition or law, because militias believe that the State can also manipulate and interpret law and tradition to serve their own ends. Value-Rational legitimacy, on the other hand, is evaluative, and by definition allows militias to challenge the legitimacy of authority in a domain they can claim as their own – in the realm of values. Thus, they use beliefs, symbols and rules of the political culture to articulate the Value-Rational nature of their protest and to articulate their grievances.

Protest Behaviour

The 'militia' is also used as a means of protest in the conflict over legitimacy. The use of the 'militia' as a political organization and symbol is to legitimate the protest and to delegitimize the State. The formation of militias, and participation in militias can be defined as protest behaviour according to the following characteristics. Firstly, the protest "expresses a grievance, a conviction of wrong or injustice" (Altheide and Gilmore 1972: 100). Secondly the protest is intended to "draw attention to grievance" (Altheide and Gilmore 1972: 100). Thirdly, protest is extra institutional behaviour that challenges legitimacy by eschewing institutional channels (Altheide and Gilmore 1972). Fourthly, the action is intended to cause change (Pakulski 1991).

Expression of a grievance, a conviction of wrong or injustice. Militias have a number of grievances pertaining to the government in terms of political issues regarding taxes, federal use of lands, federal law enforcement abuse, and various public policies and governmental legislation. But most theories on militias and their grievances seek to delegitimize the protest of the movement by explaining the political issues as backlash politics or as status or class grievances, connecting grievances to right wing extremist reactions. The focus on these issues obscures the political nature of the militia movement. This is not to disregard these social and economic issues, but to put them into a political context. Militias are not a "class based movement or a

coalition of economic grievances. Rather, [they are] fundamentally a cultural and political movement” (Castells et al 1996: 39).

The grievances of Waco and Ruby Ridge are central to understanding the use of the militia as a means of protest in the process of legitimacy. In August 1992, federal law enforcement agents were engaged in an 11 day siege with the Weaver family because Randy Weaver failed to appear for a Federal weapons trial (Cavanagh and Teasley 28 December 1995: 2). During the siege, Weaver’s wife, son and dog were killed. Less than a year later, federal agents were engaged in another siege with the Branch Davidians at Waco, Texas, which ended with the deaths of 80 people on 19 April 1993. The militia movement highlights the grievances pertaining to federal abuse and the sense of injustice caused by these confrontations with federal law enforcement, as well as the general persecution of right wing groups. Chip Berlet and Mathew Lyons state that “the government has abused its power in pursuing and killing right-wing militants without benefit of due process in a series of incidents since 1983, of which Waco was merely the latest and most murderous example” (Berlet and Lyons 1995: 24). Militias see the government as transgressing the rules of the game by persecuting citizens, to the extent that they are constantly compared to Nazis (see following page).

Thirdly, the grievances over gun control legislation are highlighted by militia protest and used to legitimate the protest. The 1993 Brady Bill, which requires a five day waiting period prior to the purchase of a handgun, and the 1994 Violent Crime Control and Law Enforcement Act, which limits the sale of a variety of assault weapons (Duffy and Brantley 1997: 23) are also grievances which the militias highlight. The issue of gun control for militias has typically been framed as one of individual gun rights and the use of the militia as a justification to this end. Rather, the protest pertains to fears of tyranny, defined by militias as gun control. As Hamilton states, “although both measures have received overwhelming public support, to the militias, gun control means people control and thus tyranny” (Hamilton 1996: 41). To the militias, the legislation represents the infringement of constitutional rights and individual liberties. The protest is meant to highlight the grievance of illegitimate government as demonstrated through this legislation and Ruby Ridge and Waco.

Draws attention to grievances. The formation of militias draws attention to the ideals and principles of legitimate authority and citizen responsibility to resist

tyrannical authority. By using the militia organization as a means of protest and as a political symbol, militias are drawing attention to the rights they believe are being endangered by the government. As Polesky states “the creation of private militia is a politically expressive means of exercising the First Amendment rights to freedom of speech and association, as paramilitary organization constitutes a pointed expression of anguish about alleged government infringement on individual rights and about the manner in which these rights can be protected” (Polesky 1996: 1594).⁴

Much of the literature, particularly legal literature, seeks to define the militia purely as a legal institution. However, the ‘militia’ is also understood as a ‘political institution’ (Williams 1991), and it serves as a “regulative ideal or as a symbol for a political function” (Williams 1996: 592) and as a vehicle for political protest to draw attention to grievances. Thus, the militia has specific political functions which historically defined a political ideal of legitimacy and legitimate political resistance. This is used by present-day militias as a strategy to legitimate their grievances and protest behaviour.

The militia ideal encapsulates the notion of the ideal citizen whose moral character equips them with monitoring the behaviour of government, giving them the right and responsibility to challenge illegitimate government. Such citizens, who composed the historical militia, were politically “empowered citizens engaged in deliberative politics in pursuit of a common good” (Williams 1991: 551). These citizens were charged with preserving the moral and political health of the Republic. The republican ideal of the militia is one in which the militia is perceived as populist, where “the control of force should not belong to army officers, bureaucrats or judges but to the people” (Williams 1991: 606). This ideal challenges the centralization of authority and the association of standing armies which could be used by tyrannical authority to oppose the people: “echoing the rhetoric of civic republicanism, the militia groups also declared that the federal government will use a standing army to enforce its will against an unsuspecting citizenry” (Williams 1996: 890). The issue of centralized authority and the fears of concentrated power in the federal government are thus highlighted by the use of the militia. The premise of militia existence is that

⁴ The militia movement uses the ‘master frame’ of the civil rights movement for legitimation, as the civil rights movement set a precedent for legitimate protest grievances. The militias are trying to draw attention to the issues of rights, while legitimating their efforts. As James Johns, the African-American leader of the Ohio Militia said, the movement “is the civil rights movement of the 1990s” (U.S. Congress. Senate. 15 June 1995: 103). This claim infuriated politicians and anti-hate groups because it was perceived that the alignment with the legitimacy of the civil rights movement was preposterous, given the extremist nature of the militia movement.

“masses of armed civilians could subdue any professional standing army that might support a despotic regime, or itself seize power” (Dunlap 1995: 644).

As political power was seen by the framers to lie with “those who controlled the means of force” (Williams 1991: 593), the militia ideal is one which challenges this monopoly: “Republicans sought to give over the control of arms to a body constituted in such a way that we should have confidence that it would represent the body of the people...” (Williams 1991: 593). The militias use the Second Amendment⁵ to highlight issues of gun control and disarmament. The militia movement literature points to figures such as Edbridge Gerry, who stated that “whenever government means to invade the rights and liberties of the people, they always attempt to destroy the militia, in order to raise an army upon their ruins” (Williams 1996: 901). The Second Amendment is about the allocation of political power: “the central issues for the supporters of the Second Amendment was the allocation of political power, and its discussion revolved around political actors, state and society, entwined in the militia” (Williams 1991: 588).

The militias also use the militia ideal to draw attention to the need to preserve the values and the ‘American way of life’ from threats. Williams states that the militia and the Constitution is predicated upon paranoia and on fears of threats to American values which is thus central to the American political culture itself. He states that the militia theory of the Second Amendment is one of a conspiracy of the ‘other’:

This creation of an ‘other’ through conspiracy theories is thus necessary, not contingent to the militia theory of the Second Amendment: citizens may revolt against them precisely because they are not us. Indeed, any revolutionary theory of the Second Amendment seems to depend on the existence of an ‘other’ (Williams 1996: 924).

He further states that “the Anglo American revolutionary tradition is saturated with suspicion, even paranoia. The citizenry should always watch for signs of a governmental plot to subvert liberty...for the Second Amendment, there is not authoritative exponent of truth: neither the kings, Congress the Supreme Court nor the

⁵ The Second Amendment of the Constitution says that “A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed” (U.S. Constitution, Amend. 2).

media can dictate to us” (Williams 1996: 933). Thus, militias interpret the Second Amendment and use the militia ideal to legitimize their beliefs and protest.⁶

Challenges institutional channels. By forming militia organizations that are defined by their extra-institutionality, militias challenge legitimacy through the militia as a means of protest behaviour. Protest is defined as being extra-institutional in nature, and as such, it challenges the legitimacy of authority through the rejection of institutional channels: “protest challenges authority in a way that institutional tactics do not because it automatically questions the rule of the decision making game” (Hirsh 1997: 304). Protesters “eschew politics through proper channels because...they tend not to have access to these institutions and conventional forms of action...as powerless, they fear that their aims will be compromised by pursuing them through proper channels which are dominated by conventional political /economic elites” (Hirsh 1997: 304). Further, such movements challenge the legal-bureaucratic nature of the state as alternative, Value-Rational forms of organization (Rothschild-Whitt 1979).

Thus, the militias use the ‘militia’ as an extra institutional means of expression, either because using institutional channels compromises the legitimacy of the protest, or the channels themselves are regarded as corrupt and illegitimate. The use of the ‘militia’ as a means of challenging institutional participation is based on how the militia is defined as unorganized and free from government control. The role of the militia is to be a check on illegitimate government. In this way, modern militias define themselves as ‘unorganized’ to “circumvent the legal prohibition to form military units outside of government control” (Castells et al 1996: 33) and by distinguishing militias from the National Guard, which is under government control and is the subject of legal and political debate.

Militias seek to legitimate their protest and extra-institutional nature by the Second Amendment. Polesky states that “considered as a textual directive, the Second Amendment not only guarantees a right to arms, but it is also part of the relationship between governmental and citizens in which the latter holds power outside normal channels” (Polesky 1996: 1593). This power includes the right to protest, to resist and even to revolt, according to some interpretations (Williams 1991: 583). Militias are

⁶ See Appendix Four for militia movement slogans which have been created in to vehicle bumper stickers, and which could be said to capture the essence of their grievances and the ideal of the militia.

seen as a revolutionary force and having the right to revolution by their historical role in gaining American independence: “colonial militias composed the bulk of armies that eventually won independence” (Dougherty 1995: 8). This was enshrined in the Constitution, and the faith in militias was such that they became the insurance that the nation would remain independent. The militias needed to remain independent in order to provide a check on government and limit corruption.

Action directed to cause change. The stated objective of militias is to return government to constitutional legitimacy by the use of the militia. What will be shown is that this is done on the basis of values, morals and principles. Social movement literature also discusses the movement tactics and strategies in order to achieve objectives, which are to affect change. As a means of protest, the use of the militia can be seen as a strategy that uses several identifiable tactics based on the extra institutional nature of protest, designed to achieve legitimation and delegitimation. Strategies and tactics are seen to conform to the nature of the protest which results in the use of tactics which combine “sympathy and fear,” (Altheide and Gilmore 1972: 100) and which are designed to cause change. Intimidation is used to present themselves as a credible and formidable threat to illegitimate authority, and sympathy is used to present the militias as mistreated, victimized or dismissed by their target (political authority) in gaining support from the public, or which places the militia above authority. This will be demonstrated when examining the case studies.

The next part of this chapter will examine the responses of the State to the emergence of protest, the type of tactics used, and how these have been employed against the militia movement.

PART TWO

The State

Legitimation and Delegitimation

The emergence of a protest movement like the militia movement evokes particular, as well as predictable, responses from the State as an actor. The government and governmental agencies respond to the movement based on the perceived nature and threat of the protest to State legitimacy. The State's objective is to retain legitimacy and delegitimize the movement, but any response requires justification for its own legitimation. As Kevin Gotham explains,

State survival depends on the ability to neutralize dissident threats to its monopoly of the legitimate use of physical force. Therefore, state power and democratic legitimacy are inherent in contradictory institutional interrelationships. These manifest themselves when dissident movements arise seeking changes in state policy. The State is forced to placate, acquiesce or repress movements' demands within the context of a democratic political system (Gotham 1994: 208).

Thus, the State has several options open to it when protest arises. Whatever option it chooses, the State must appear to remain within democratic confines if it is to retain legitimacy. Firstly, it can "accept the legitimacy of the protest and identify with the dissidents (at least symbolically)" (Altheide and Gilmore 1972: 99) and thus must concede some or all of the demands of the protesters, or offer conciliation. However, the State cannot concede that it is illegitimate. Further, because of the perceived nature of the militia movement as terrorist based on the connection to the Oklahoma City bombing, this first option is not feasible, for the State cannot legitimize terrorism. Secondly, the State can "define the disturbance as deviance and thereby ignore or depreciate the conflict" (Altheide and Gilmore 1972: 99), or define it as criminal and/or extremist to marginalize the protesters. This response conforms to how the militia movement has been treated by the State, and this is evident in the use of several tactics. Thirdly the State can "define the event as a rebellion or revolution"

(Altheide and Gilmore 1972: 99). While the second response makes the third type of response less likely, the State has identified the militia movement as one which inappropriately seeks rebellion or revolution to demonstrate their threatening nature.

The following section will examine how the State ignores or attempts to remove the political validity of the militia movement, and how the movement is delegitimated by the State by presenting the protesters as deviants, criminals and extremists. This examination is divided into two parts. Firstly, the State is examined how it uses the political culture and specific tactics and strategies, such as labeling, which delegitimizes the movement. Secondly, the legitimation of the State is achieved through agencies of socialization such as the media, monitoring groups and education, which serves to delegitimize protest and protesters and mitigate against dissent. What will be shown is that these agencies also use the same tactics, which tends to marginalize the movement.

Strategies and Tactics

The strategy of the State is to delegitimize the militia movement and/or militia members as deviants, criminals and extremists and to legitimate the State in two ways. Firstly, the State attempts to delegitimize the movement through the use of the political culture, and secondly, through the tactics of labeling.

Political Culture

For political legitimacy, “political elites must use elements of political culture” (Schmidt 1988: 77). The symbols, beliefs and rules are used to reinforce the legitimacy of the State and to justify a ‘law and order’ approach to challengers, using law enforcement as a means of repression. With symbols,

Politicians are in a powerful ideological position to use the symbols of legitimacy and authority as important instruments for social control, because they can appeal to a positive conception of correctly promulgated law. This is

precisely how the cliched invocation of the need to maintain law and order is manipulated to reinforce government definitions of legitimacy (Gosling 1990: 90-91).

In terms of beliefs and ideology, the process of legitimacy demonstrates the efforts of the State to reinforce the acceptable beliefs that citizens should hold, that is, the ideological beliefs that support the legitimacy of the State. At the same time, however, the beliefs and ideology are used in a way that demonstrates that opponents do not have legitimacy and need to be controlled or repressed. In social movement theory, it is believed that protesters will be attacked in terms of their behaviour, not their ideas: "it is very difficult to combat successfully the mere holding and expression of ideas opposed to the existing social order or to a particular political regime. It is therefore in the field of tactic rather than in the sphere of ideas that social movements are vulnerable" (Herbele 1951: 362). However, as will be shown, beliefs are where the militias are perceived to be vulnerable. This will be examined in how politicians and bureau officials treat militias as deviants, criminals and extremists.

In terms of rules, the State reacts to challenges by highlighting deviance and criminality and the extremism of the militia movement, attempting to reinforce such delegitimation with reference to the 'rules of the game' and in particular, the legal processes that citizens must follow in expressing their dissent. What will be shown is that the State uses the political culture value system to reproduce legitimacy, claiming itself as the author of such values and not merely the agent or expressor of values.

Labeling

Secondly, specific tactics such as labeling militias as deviants, criminals and extremists are employed with the objective of marginalizing the movement.⁷ As

⁷ The categorization of militias as deviants, criminals and 'extremists' are often treated synonymously when applied by the State. As such, the examples used for each of these categories contain simultaneous references to each other. An extremist will also tend to be labeled a deviant and a criminal, and so on, by politicians, government bureaucrats and law enforcement officials. However, there are also characteristics specific to each of these categories that highlight specific tactics of delegitimation by the State. Deviantization is more the identification of behaviour which deviates from the norm, the norm being defined as legitimate. Criminalization is the transgression of formal rules, which occurs after behaviour has been identified as deviant. The process involving the criminalization of deviant behaviour involves the determination of the nature of the behaviour, the support behind the prohibition of that behaviour, and the formal enactment of laws. With extremism, protesters are delegitimized by the association with the beliefs of extremists, as well as by reference to the behaviour stemming from extremist beliefs.

Kevin Gotham states, “the labeling of oppositional political groups and activity as subversive and the use of covert repression are ways the American State attempts to meet the challenges of dissident movements while at the same time maintaining democratic appearances” (Gotham 1994: 208). Negative labeling serves to delegitimize the protesters while legitimating the State. By denying the political nature of the protest and the protesters and disregarding the validity of their political agenda, the result is that groups like militias are not dealt with in the political arena. Rather, they are relegated to the realm of law where responsibility is given to law enforcement to deal with the protest. The government relinquishes responsibility for dealing with these groups in a political manner. That is, the government does not treat militias as political actors with a political voice, and thereby removes the threat to the legitimacy of the State. At the same time, the State, in delegitimizing the protest, will use various tactics in presenting itself as the benevolent and caring government, the embodiment of rationality and moderation.

Deviantization

Deviantization is the process of making something appear deviant, and this has been a tactic of the State in labeling the militia movement. The process of deviantization must be put in a context of conflict in order to understand how militias are labeled deviants as part of the delegitimation process. It is a process of labeling opponents from a position of power.

Deviance is conventionally understood as rule breaking or norm violation (Horowitz and Liebowitz 1973). However, deviance must also be understood as an issue of power, and as such, it is indicative of challenges to legitimacy and a conflict over legitimacy where both sides are “engaged in generating power and in attempts to widen their bases of legitimacy – that is, members in these symbolic moral universes are involved in moral power and stigma contests” (Ben Yahuda 1992: 76). Deviance “always involves a challenge – to power and morality” (Ben-Yahuda 1992: 77). Actions labeled as deviant invariably are “symbolic acts which challenge the right of rulers to rule. The challenge is aimed at the heart of legitimacy...” (Ben-Yehuda 1992: 78).

This understanding of legitimacy goes beyond the usual conception of norm and rule transgression. Deviance is thus an aspect of the “conflict game” (Lofland 1973: 26) which involves the element of threat and fear by those who possess power, and are able to “bring the resources of the state to bear upon the party felt to be threatening” (Lofland 1973: 26). Lofland’s work is interesting in that deviance is not discussed as a particular phenomenon, but as just one type of conflict between those in power and individuals and groups who threaten that power. Under different circumstances involving size, organization and threat, such individuals or groups can be labeled a ‘social movement’ or the behaviour is defined as actions that constitute a rebellion, or ‘civil war’. Thus, deviance is not a matter of norm or rule violation, because all types of conflicts, no matter what they are called, involve that aspect. Rather, deviance is just one type of conflict between two parties where those with less power, size and organization are defined as deviants. Because they have less power than those they are challenging, they are identified as deviants, and the identification of deviance is manipulated to become part of the strategy of delegitimation – a means of controlling the conflict. What Lofland does not recognize is the identification of a conflict as one of deviance does not necessarily depend on the objective size or organization of a group or movement. It also depends on the perception the State wants to create of a particular group or movement, to justify various State responses which retain State legitimacy and delegitimizes the movement.

Deviance can pertain to two realms: social, and political, where political deviance is understood as political dissent by deviant means. Thus, protesters who are seen as political deviants are those who transgress rules or norms defined by democratic political participation and expression, considered illegitimate by the State at the time of the protest, based on the identity, nature and threat of the protesters.

The act of defining political deviance as illegitimate can expose the contradictory nature of valuing protest as a means of political expression in a liberal democracy, while also rejecting protest, or in particular, certain types of protest, as illegitimate. In this way, part of the tactic of the State is to conflate the ways of dealing with political deviance as it does with social deviance. Social deviance involves the transgression of social norms, resulting in the negation of political objectives. Challengers are presented as sick and delusional requiring social control. Horowitz and Liebowitz explain that the trend for the State is to ignore political deviance, or more accurately to blur the line “between the social deviant and the

political marginal” (Horowitz and Liebowitz 1973: 268) which justifies repression and control. Social deviance is considered to be illegitimate (Horowitz and Liebowitz 1973). As a result, “political dissent by deviant means will become subject to the types of repression that have been a traditional response to social deviance” (Horowitz and Liebowitz 1973: 269).

What this also means is that the State applies deviance in ways that treat protesters such as militias as pathological, sick, or evil. When they are using non-institutionalized channels to express grievances, it is because they are first and foremost social deviants – crazy people. American society is thus “unable to resolve political problems that are important to marginal people” (Horowitz and Liebowitz 1973: 280) because of the way they are treated as deviants. Thus, what the process of legitimation regarding deviantization reveals is a strategy of converging political dissent with social or political deviance.

The State, understood through the actions of government, thus uses two tactics in delegitimizing the militias as deviants. Firstly, militias are deviant because they are perceived as transgressing the State defined norms of political participation and expression of grievances. When they are perceived as disregarding institutional means of participation and expression, or acceptable means of extra-institutional expression, the protest of militias is regarded as subversive to democracy, and cannot be considered political protest at all, but deviance. Militias are then seen as transgressing the norms that define legitimate dissent in a structure of domination and compliance. Secondly, militias are labeled as deviants to remove the political nature of the protest, and to associate them with social pathology that requires social control.

In the government hearings held regarding the militia movement, terrorism and anti-government groups,⁸ as well as statements made by politicians in the media regarding the militia movement, it was made explicit that militias were perceived as deviant. This is because of the belief that militias thwart institutional channels, ie legitimate channels for expressing their grievance in favour of violent rhetoric and violence. This leads to the assumption that the ways in which they do express their dissent involve criminal activity and extremism, including violence and terrorism. In this hearing, Senator Kohl expressed the view that

⁸ Three hearings were conducted in 1995. The first hearing was held on the 3rd of May 1995, entitled “Combating Domestic Terrorism” (U.S. Congress. House. 3 May 1995). The second hearing was held on the 15th of June, 1995, entitled “The Militia Movement in the United States” (U.S. Congress. Senate. 15 June 1995). The third hearing was held on the 2nd of November 1995, entitled “The Nature and threat of Violent Anti-Government Groups in America” (U.S. Congress. House. 2 November 1995).

Individuals and organizations that oppose government policies should feel free to do so, but they must fight for their ideas in the nonviolent democratic ways envisioned by the Founding Father they purport to admire. From the Presidency of Thomas Jefferson to the 1994 election, American history is filled with dramatic, but peaceful changes in power. Elections, not guns, are the tools of change crafted by the Framers and embedded in our Constitution (U.S. Congress. Senate. 15 June 1995: 3).

By using the symbolism of the political culture: the Framers, the Constitution and Thomas Jefferson, Senator Kohl seeks to legitimate the institutional process of change which militias have been deemed to disregard. Similarly, Peter King stated in a November hearing that

Nothing that happened at Waco and Ruby Ridge justifies citizens arming themselves for some eventual struggle with the government. That is not what we do in a democratic society where we have the means to control government abuses at the voting booth and through the courts. Militia supporters talk of the spirit of the Founding Fathers, but it was George Washington, the Father of our country, who denounced Shay's Militia and the Whiskey rebellion as threats to republican government (U.S. Congress. House. 2 November 1995: 193).

King also states that in a 'democratic' society, the legitimate means of expressing grievances are through the courts and by voting. He seeks to delegitimize the protest actions of those that challenge the government, presenting the example of the Shay and Whiskey rebellions as illegitimate by using the symbol of George Washington. Not only do challenges to government become illegitimate, but he reinforces his argument with symbols and by emphasizing the appropriate behaviour for expressing grievances. Senator Carl Levin from Michigan stated that "we don't need these private armies to protect us from our government. We are blessed with having a free ballot and an independent judiciary" (U.S. Congress. Senate. 15 June 1995: 45). Senator Levin thus seeks to delegitimize militias as a check on government, as a challenge to legitimacy, because elections and the American system are the embodiment of legitimacy from the perspective of government. With this statement, he reinforced the rules of the game which militias do not abide by. In the November hearing, Congressman Nadler stated that "if you settle political differences with bullets instead of ballots, you don't live in a democracy, you live in Beirut or Bosnia. This is America" (U.S. Congress. House. 2 November 1995: 14). Mr. Nadler like his colleagues also attempts to create a halo affect for American democracy, so that the legitimacy created by such a democracy should preclude any

type of extra-institutional protest. The message of the hearings was that these politicians are the elected representatives and thus the embodiment of legitimacy:

Any armed force with a political agenda in a democratic society is a threat to republican government. That is why I cannot understand those who say that the militias are not threat to legitimate government. Who is going to decide what is legitimate, the head of the Michigan Militia or the commander of the Montana Militia or Mark from Michigan?⁹ Under our Constitution, legitimate power rests with the people through their elected officials. (U.S. Congress. House. 2 November 1995: 193).

These politicians legitimate themselves as the representatives of legitimacy, from their perspective of the government as legitimate. They involve themselves not as observers of a movement, but as parties to a conflict. This contributed to a confrontational attitude at the hearings. Charles Schumer said

Just who do these people think they are?...Lets invite these self righteous people and their self appointed generals up here. In the meantime, I have a message to the extremists who populate the militia movement and their cheerleaders on the radical fringe of the pro gun crowd; America and this Congress will not be bullied. America and its Congress will not be intimidated (U.S. Congress. House. 3 May 1995: 4).

Similarly, President Clinton was reported in the *Reuters News Service* to have announced his confrontational attitude towards “the militias and others” responsible for the Oklahoma City bombing in that as Americans, “we must stand our ground” (McQuillan 5 May 1995: np) against militias. In fact, Clinton’s comments on the militias were interpreted as a ‘declared war’ (Evans-Pritchard 28 May 1995: 27) on anti-government groups, a move which served to legitimate the president but to delegitimize the movement by associating them with irrational, violent and inhumane behaviour. As one journalist from the *Sunday Times* said, “the bombing has worked wonders for Clinton’s popularity. His tough action, combined with tear jerking PR [public relations] exercises (such as explaining the explosion to a group of children in the White House), sent his approval rating from 47% to 58% in two days last week, the highest increase during his presidency” (Adams, 30 April 1995: np).

Secondly, militias are perceived as psychologically ill, sick or evil. Militias are delegitimized because of the view that groups identified as extremists, deviants or

criminals have a pathology which causes them to hold particular beliefs and behave in particular ways. In the May 3rd hearing, Congressman Schumer stated in relation to the Oklahoma City bombing, that “it is not just the cowardly, evil people, whoever they may be, who planned and carried out that heartless atrocity, and it is not just the vicious criminal acts they committed. Terrorism is a frightening political illness” (U.S. Congress. House. 3 May 1995: 3). Similarly, after the bombing, President Clinton stated with reference to militias, that “one thing we owe those who have sacrificed is the duty to purge ourselves of the dark forces which gave rise to this evil...they are forces that threaten our common peace, our freedom, our way of life. Let us teach our children that the God of comfort is also the God of righteousness” (McManus 1995: 1). Others believe that militias will ‘infect’ America like a disease:

Make no mistake, America is at greater risk today than ever before. The armed radical groups we will hear about today are a sickness of hate, paranoia and violence. Their angry germs are contaminating America’s life blood. This sickness could threaten our future as a free country, a country whose democracy is the envy of the world...this hearing is a good thing. It can help cleanse the illness of violent extremism by exposing it to the light of day, but it is not enough...if we do not stand up to these dark forces of hatred and evil, mark my words, they will not simply kill and maim hundreds of innocent Americans. They could destroy America. (U.S. Congress. House. 3 May 1995: 4).

Delegitimizing militias is thus not only a matter of presenting them as sick and evil people, but the tactic shown here is to dehumanize them as a sickness or infection. In contrast, these politicians are portrayed as representative of a healthy democracy who need to ‘vaccinate’ against such threats. The belief is that such ‘destruction’ is caused by right wing extremism, and thus, logically the destructors should also be destroyed. This type of inflammatory and emotional rhetoric from politicians emphasizes the delegitimation tactics used against militias and to justify repressive actions.

This threat appears paramount, so that to save democracy and preserve American values, these groups must not be tolerated:

It is with a sense of concern and uneasiness about the future of our democracy that I refer all Americans of good faith to a small but extraordinary sinister development – the rise of armed paramilitary organizations, many of which are popularly known as militias – that threatens to undermine our laws, our freedoms, our safety, and our form of government...For whatever twisted reasons – whether out of personal psychosis or hatred of fundamental human

⁹ He is referring to Mark Koernke, or ‘Mark from Michigan’ who produces videotapes and newsletters out of Michigan, but who has no association to any militia group but is a well-known figure in the militia movement.

values – members of these groups have crossed a line that our society cannot tolerate (Schumer 1996: xi).

Schumer seeks to point to the deviance of militias in terms of their psychological drives, including ‘personal psychosis’ and ‘hatred’, removing any question as to their political objectives. Rather, militias seek to destroy American government. This type of characterization is one that justifies the strategy of the State’s ‘intolerance towards intolerance’ for legitimation.

Criminalization

Criminalization and deviantization are interrelated, as “crime is a sub category of deviance” (Ben-Yahuda 1992: 77). However, deviantization usually precedes criminalization in that the non-conformist behaviour is identified, and then that behaviour is prohibited by law. Criminalization is the formal prohibition of non-conformist behaviour by the State. Crime “implies that specific state-made rules or laws were violated” (Ben-Yahuda 1992: 77). Criminalization in the case of deviance is “one option for reacting to non-conformist behaviour” (Ben-Yahuda 1992: 81). As with the ‘deviance game’, the criminalization of protesting is more about the threat to the power of the State when its legitimacy is challenged than actual criminal behaviour. It also serves as a means of control and removing the threat that protesters present to the State. By understanding criminalization as a tactic or tool of the State in this type of conflict of legitimation, what the State calls a criminal could otherwise be called a protester, a patriot, even a hero: “the analysis of criminalization therefore, must be made while remembering the opposite – respectability, legitimacy and heroism” (Ben-Yahuda 1992: 80). Thus, as part of the process of legitimacy, “in distinguishing political criminals from heroes, one may be tempted to see a remarkable paradox: the former failed while the latter succeeded in representing an accepted value or cause within their social groups” (Ben Yehuda 1992: 80).

The legitimacy of a protest would permit “movements to be labeled as protest rather than criminal activity” (Walker et al 1991: 3). The legitimation of the State relies upon the criminalization of challengers because the structure of domination and compliance dictates that action outside these parameters is illegal. The term ‘anti-government’ is an ideological position that is treated synonymously with criminal behaviour. The State establishes that anything that challenges the government is

therefore criminal, with the State being counterpoised as the embodiment of legitimacy. To retain legitimacy, the State must delicately balance between its tendency to legislate against such threats and the need to protect the liberties and freedoms of Americans.

The 1995 government hearings on militias and terrorism demonstrated the views of politicians and officials from federal bureaus who perceived militias as criminals, justifying the expansion of State power to legislate and control these groups. Two hearings that involved militias were before crime subcommittees, and the agenda was effectively to discuss the criminalization of these groups. During these hearings, it was revealed that the perception surrounding militias after the Oklahoma City bombing was that they are terrorists, therefore criminals with the propensity to break the law. The November hearing in particular was designed to criminalize the movement because as Congressman Schumer stated, “in many parts of this country, we’re facing a breakdown of law and order, yet, we know little about who is committing the crimes” (U.S. Congress. House. 2 November 1995: 246). This criminalization resulted in proposed legislation to increase the power of the government to define and repress such groups. Politicians vociferously defended the use of law enforcement against such groups. For example, Chairman McCollum stated in one hearing that

In my view, and that of many of my colleagues, the FBI and Federal law enforcement in general, where appropriate, just pursue vigorously every opportunity to prevent terrorist activities in this country...to be specific again, this chairman without hesitation supports the use of lawful tools, including infiltration, to combat potential acts of terror by militia organizations or any other group that appears to be capable of violence like that committed in Oklahoma. Moreover, it must be communicated down the line to agents in the field that the people’s elected representatives stand behind their efforts...they must aggressively use all legal means to accomplish their mission, and that’s the key: all legal means. The steadfast support of this subcommittee is defined by the rule of law, the strict adherence to law enforcement...All of us in government have a moral duty to follow the laws of the land as we seek to insure that the public also obeys the law (U.S. Congress. House. 3 May 1995: 2).

However, the objectives of the hearings were to expand the law to fit the perceived need to combat these groups. It was repeatedly mentioned by the few dissenting voices that current laws were sufficient to deal with criminal activity and that the representatives should be cautious in their rush to judgment, but it was still maintained by the majority that the laws were insufficient to deal with groups like

militias. It was evident that because there is no hard evidence on militia criminal activity, officials believed that investigative powers should be expanded so that government, through law enforcement, can find criminal activities. The range and scope of the proposed laws would involve a political judgment ahead of a criminal one.

What was conveyed in these hearings was that not only is there a need for legislation but an urgent need in light of the Oklahoma City bombing. This created an added pressure to criminalize those groups believed to be responsible. As the head of the FBI terrorism section, Robert Blitzer said, “another Oklahoma City bombing could happen tomorrow” (Kaplan and Tharp 1998: 22). The article continued to say that

Following the devastation in Oklahoma City, federal and local law enforcement agencies have cracked down hard with a concerted effort to identify and infiltrate the most violent of the hundreds of armed militias and ‘patriot’ groups nationwide. The FBI currently has more than 900 active investigations into domestic terrorism, compared with 100 before the Oklahoma City bombing” (Kaplan and Tharp 1998: 24).

The association of militias with the Oklahoma City bombing led to a crack down on these groups. But how did the government know what a militia was, let alone which militia groups were the most violent? How does the FBI discover and distinguish these most violent of militia groups?

According to one article in the FBI Bulletin, they distinguish militias by the threat they pose as criminals. The FBI distinguishes militias by their propensity for criminal activity.¹⁰ The more ‘anti-government’ they are, the more criminal their behaviour. Militias and other anti-government groups were defined as violent and terroristic because of their association to the Oklahoma City bombing, which in turn enabled politicians to propose legislation which would give law enforcement more power to criminalize political associations based on political beliefs. Assistant Director Robert Bryant of the FBI stated that “the FBI does investigate specific individuals or groups where there is a reasonable indication of criminal activity” (U.S. Congress. Senate. 15 June 1995: 49). This begs the question of what is a reasonable

¹⁰ The “Threat Assessment Typology” written by Duffey and Brantley (1997: 22-27), two FBI agents, categorizes militias according to the dimensions of paramilitary training, philosophy and ideology, propensity for violent, criminal activity and weapons possession (Duffey and Brantley 1997). Further, the relationship with government is one examined as a conflict in which behaviour can escalate. The purpose of this categorization is to understand the nature of the militias in terms of their propensity for violent conflict and criminal activity.

indication of criminal activity. According to the FBI article, criminal activity is related to the perceived anti-government stance, while anti-government is not defined at any point in the article.

Members of law enforcement acknowledge that there are constitutional guidelines within which they should operate, but the point of the hearings is to expand those guidelines and powers. Deputy Attorney General Gorelick said that federal investigative agencies are “too restrained in the interpretation of our own guidance” (U.S. Congress. House. 3 May 1995: 47) but that “I assure you we have no desire to cross the line and to investigate constitutionally protected activity, but constitutionally protected activity cannot shield from view activity which would become a terrorist act and that is what we are trying to do here very carefully” (U.S. Congress. House. 3 May 1995: 47). As Louis Freeh, Director of the FBI said,

I do not support broad and undefined intelligence collection efforts – but law enforcement has to know something about those individuals and groups advocating deadly violence in the furtherance of their causes. The first rule of self defense is to know the enemy who intends to destroy you. Intelligence serves a very useful purpose and helps to protect the American people. It should not be considered a ‘dirty word’. I do not want my remarks to be interpreted as advocating investigative activity against groups exercising their legitimate constitutional rights or targeting people who disagree with our government. The FBI is entirely comfortable with the Constitution, due process rights, congressional oversight, legal process and the American jury system. They each protect the American people and the FBI. Law enforcement is not interested in investigating lawful activity. Law enforcement is not concerned with a group simply because of its ideology or political philosophy (U.S. Congress. House. 3 May 1995: 21).

James Brown, the Deputy Associate Director for criminal enforcement of the ATF said that

While we don’t investigate groups based on their beliefs, ATF does pursue investigations of individual suspects when there is evidence that they are violating the Federal laws under the ATF’s jurisdiction. Through these investigations, we have been able to gain considerable insight into some militias and their ideologies...the ATF has successfully investigated and charged several members of the present day militia movement with violations of the federal firearms and explosive laws. I want to emphasize again that the ATF does not initiate investigations on militias based on their beliefs... (U.S. Congress. Senate. 15 June 1995: 51).

Brown’s testimony was based on his understanding of the ideology of these groups, yet he proclaimed that this was outside the jurisdiction of the ATF.

Such officials are aware that they are not to base their activities on political ideologies.¹¹ While this understanding exists, this has not prevented the criminalization of political protest nor prevented the repression of that protest. This is due to several reasons that stem back to Ruby Ridge and Waco. Since these incidents, it was evident that the ATF, and perhaps the FBI gained an “institutional memory” (Barkun 1994: 80) which largely dictated how the agency would subsequently treat and deal with right wing extremists. From the time of Ruby Ridge, the incident affected the agents in a way which “drained them of utility” (Barkun 1994: 80) and the ability to deal with Waco or other extremists, like militias. What these two incidents did was to demonstrate how militias are criminalized as right wing extremists. This is for two reasons. Firstly, laws are not enforced in a psychological vacuum: there is a psychological process involved which affects the way in which laws are enforced and there is a perception surrounding these groups. This was evident from the way Waco and Ruby Ridge were handled by the agents, which reflected an institutional mentality towards the criminalization of ‘right wing extremists’.¹²

Secondly, the political nature of the conflict with right wing extremists and the agency played a role in how they were criminalized. The agency has been trying to legitimate itself through the delegitimation of right wing extremists. The evidence suggested that the ATF was only interested in staging a raid to increase the legitimacy of the agency because of the actions at Ruby Ridge (Gazecki et al 1997). The ATF subsequently had an agenda in relation to right wing extremists, which was evident from Waco: “with appropriation hearings a week a way, a large successful raid would

¹¹When it comes to prosecution, political motivations must be avoided and the criminality must be emphasized (U.S. Congress. House. 3 May 1995: 105). In this way, terrorism as a political act must also focus on the criminality of the act, which may provide a further explanation as to the emphasis on militia terrorism and criminality and the dismissal of political motivations based on the assumption that militias are terrorists.

¹² The principles and beliefs of the agents within the FBI and the ATF regarding Ruby Ridge and Waco reveals the psychological processes involved in dealing with marginal and fringe groups, and how it is applicable in this study. Before the raid at Waco, it had been demonstrate that the AFT agents were prejudicial as to the beliefs and nature of the Waco ‘cult’. This perspective subordinated the objective of enforcing the law to persecuting the extremists for their beliefs. As Barkun states, with the Branch Davidians, the term ‘cult’ which was used, is “a pejorative label...it says virtually nothing reliable about the group to which it is directed, by says a great deal about the manner in which that group is perceived by the users of the term (Barkun 1994: 84). O’leary believes that “labeling a religious group as a cult is itself a rhetorical act that functions to exclude it as beyond the pale - and thus to legitimate its victimization in what might otherwise be seen as an assault on religious freedom” (quoted in Barkun 1994: 88). Barkun states that “prior to the February raid, the ATF conducted extensive interviews with former members of the Branch Davidians. They were hostile to the movement in general and to David Koresh in particular, and were the source of many of the most sensational charges about the group.” Peter Smerick of the National Center for the Analysis of Violent Crime within the FBI had advised against the use of force against the Brach Davidians based on an understanding of the groups, but he was ignored because as he believes, “the FBI commanders were action oriented; they wanted to treat Koresh not as a negotiation partner, but rather as a ‘psychotic criminal; who needed to be caught and punished” (Barkun 1994: 87).

produce major positive headlines to counter the ATF's reputation as a rogue agency whose debacles blackened the reputation of other agencies, and it would scare the public enough about fringe groups to create political pressure on congress to increase its budget" (Gazecki et al 1997). Because the events at Waco caused even greater delegitimation of the agency, militias were perceived to be a way of legitimating the agency through criminalization.

The following passage taken from a Senate Subcommittee hearing by the American Civil Liberties Union indicates the relationship between criminalization and the repression of political dissidents:

Legislation creating any new crime triggers new law enforcement investigatory authority predicated on punishing or preventing that criminal activity. Any potential legislative response to violent anti government groups ought to be considered not just for the conduct that would be proscribed, but in view of the federal investigatory activity it would trigger. Groups cannot constitutionally be investigated on account of the anti government content in their First Amendment activity, but investigations of violence [and] of facts showing potential violence is certainly permissible and expected. FBI director Louis Freeh recently testified that the FBI is fully comfortable with the constitutional limitations in its investigatory functions. In our view, however, the FBI has repeatedly exceeded these constitutional limitations. Our concern is that in exceeding constitutional limitations, the FBI will investigate pure speech or pure associational activity protected by the First Amendment as indicated above, with the effect of stifling that activity. It is sometimes said that the power to tax is the power to destroy. It could also be said that power to conduct intrusive investigation of legitimate activities is the power to stifle those activities, including the advocacy of anti government views (U.S. Congress. House. 2 November 1995: 167).

In this process of legitimation federal law enforcement agencies are also contending with their own delegitimization since Waco and Ruby Ridge. Since these incidents, there is a heightened need for legitimacy, and the successful prosecution of militia members who have been tied to the atrocity of the Oklahoma City bombing would serve this cause. Politicians support the efforts of these bureaus to legitimate themselves and thereby legitimate the State. Congressman John Lewis, said

Ask the average American: who would you rather have living next door, the FBI or the Montana Militia, and they will say the FBI. Ask the average American: who would you rather have next door, the BATF or the Aryan Nation and they choose the BATF. (U.S. Congress. House. 2 November 1995: 251).

According to politicians, 'average' Americans, or 'normal' Americans would not identify with militias, or the racist and anti-Semitic groups like the Aryan Nation who

Lewis has treated synonymously in the above statement. Militias are presented as groups who have irrational fears of law enforcement or investigative agencies. The choice is presented as one between trusting law enforcement agents or militias. These politicians seek to establish that the fear of militias by 'normal' Americans is a testimony to their extremism.

Similarly, Congressman Schumer stated that right wing groups "are far more of a threat to people than the FBI or the ATF, and that is why we are here today" (U.S. Congress. House. 2 November 1995: 251). He also stated that

According to a recent poll, by a three to one margin, the American people are more concerned with paramilitary extremism than supposed law enforcement abuses. After all, it is pretty obvious: who are the American people more afraid of? The FBI, ATF and law enforcement established to protect them or paramilitary militias established to intimidate (U.S. Congress. House. 2 November 1995: 245).

The protesters are delegitimized by pitting the law enforcement or 'protectors' of 'normal' citizens against these groups, in an attempt to marginalize militias from the rest of the population. Similarly, Congressman Conyers stated that "despite the rhetoric we have been hearing over the past few months, it is not the Bureau of Alcohol Tobacco and Firearms, the FBI or any other federal law enforcement agency which law abiding Americans must fear. Our concerns are much better directed at the militant, fanatical groups that are stockpiling weapons to fight the federal government" (U.S. Congress. House. 2 November 1995: 12).

While illegal activity should be rightfully prosecuted, the danger is that the perception surrounding the groups causes law enforcement to persecute the believer, not prosecute the criminal, leading to confrontations like Waco and Ruby Ridge in attempting to enforce the law. The result is that the law enforcement bureaucracies of the State, in particular the FBI and the ATF are integral to this process of legitimizing the State. Moreover, it will be these organizations that will encounter and interact with militias based on these perceptions.

The criminalization of militias is thus achieved by creating legislation which supports the belief and perception that militias are criminals that need social control. To this end, the hearings were designed to support anti-militia legislation as well as anti-terrorism laws. The hearings became a forum for those who sought to push their agenda through legislation, including monitoring groups.

‘Extremists’

As discussed in chapter one, extremism is subjective phenomenon, relative to the actor making the judgement. As an actor, the State seeks to legitimate itself as the embodiment of moderation, rationality, the rule of law, and the legitimate use of force. The militia movement is delegitimated through the application of labels of ‘right wing extremism’. The State represents a point on a continuum of rationality and moderation, which is equated with legitimacy and illegitimacy. On this continuum, there are beliefs, actions, and values which are determined as the norm. These are the State sanctioned beliefs that support the legitimacy of the State, and define obedience in a structure of domination and compliance. Behaviour and beliefs which challenge the State are labeled as extreme or distant from the State which is the norm. Thus, extremism is equated with illegitimacy, and it becomes a strategy for the State to maintain its power.

Extremism is one way of labeling dissent from what is considered legitimate behaviour and beliefs, that is, what the State determines is legitimate according to its own position and perspective. What occurs in a conflict over legitimacy is that extremism is used as a tactic to demonstrate that groups or movements should be marginalized because of their transgression of the parameters of State-defined norms and of the ‘legitimate’ ideological position that the State occupies. Labeling a movement as extremist is an attempt to connect particular beliefs and values with extreme behaviour such as violence and terrorism. Extremist behaviour is equated with terrorism because “to the defenders of a particular regime or social order, any politically motivated disobedience smacks of terrorism” (Rubenstein 1987:18).

Thus, the application of the label of ‘extremism’ to protesters also seeks to connect such beliefs with extremist behaviour, regardless of whether that behaviour conforms to understandings of institutional and extra-institutional protest norms. As a result, militias are defined as behaving as deviant and criminal, leading to legislation and formal laws seeking to control their ‘extremism’. Extremists are said to have misguided political beliefs and intentions, and therefore they are not legitimate political actors.

There are four tactics the State has used to delegitimize militias. Firstly, militias are shown to have different beliefs and values from other Americans. Secondly, the

beliefs of militias are labeled as false patriotism. Thirdly, militias are claimed to hold racist and anti-Semitic beliefs. Fourthly, militias are violent and terroristic based on these beliefs and connections to particular events, such as the Oklahoma City bombing.

Firstly, as 'extremists,' militias are perceived to have values and beliefs that are different, the opposite of other Americans. According to the politicians cited from these hearings, militias must be shown to have different or extremist values. This is because the State defines which values are legitimate. The values that the State expresses are those which condition legitimacy with a particular emphasis on the rules of the game which support the structure of domination and compliance. Militias are delegitimized as being un-American and having values that are different from 'normal' Americans. It is because of such values that militia members are believed to be deviants, criminals and extremists. As extremists, the politicians believe militias don't believe in democratic values. If they did, they would use the democratic process. For example, Senator Bacus of Montana said that "the vast majority of Montanans reject hate, obey the law, treat each other with courtesy and cherish our peaceful democratic values...militia groups are the exception and they are the small exception" (U.S. Congress. Senate. 15 June 1995: 2). The values of militias are in fact presented as foreign and opposite to American values, thereby dismissing the validity of any political claims. In fact, extremism is seen as a foreign phenomenon.

Militias are constantly presented as being un-American as a result. For example, Representative Peter King said "there is simply no place in a democratic society for private armies...elected officials from both major parties and from all political persuasions should realize this and join together to condemn this most un-American manifestation of armed politics" (U.S. Congress. House. 2 November 1995: 193). Further, being un-American entails a challenge to the legitimate, democratic system that defines the American political system. If these militia values were legitimized in America, it would jeopardize democracy. The values and principles that legitimate the State are also to be those values which prohibit any type of challenge to the State. Mr. Nadler stated that "the idea that anyone would be permitted to take up arms against the government or against other private citizens is inimical to the principles of ordered liberty upon which this great nations was founded, and for which our flag has stood for over 200 years" (U.S. Congress. House. 2 November 1995: 13). It is reinforced that elections are the only acceptable type of change because "that is the democratic,

American way” (U.S. Congress. House. 2 November 1995: 14). Any other type of challenge, extra-institutional protest included, is regarded as contrary to American values and threatening to democracy.

Secondly, as extremists, militias are depicted as false patriots. The State delegitimizes militias as having a false love of America, suggesting that if they really loved their country they would behave in ways that did not challenge the legitimate authority of the State. Mr. Nadler stated that “we should all think about what country we want to live in. To be truly patriotic means recognizing our responsibilities to uphold the democratic principles which make this the freest nation on earth. Being a citizen in a democracy means that you cannot organize your own private army because you disagree with the actions of the democratically elected government...” (U.S. Congress. House. 2 November 1995: 14). Congressman Schumer said that “every American, everyone who truly loves this country must stand up and denounce these gun-toting, bomb throwing hate mongering bullies” (U.S. Congress. House. 2 November 1995: 4). He continued, “they claim to love American, but they insult it with a lunatic paranoia...this paranoia is smothering the ingenuity of Thomas Jefferson, choking the rationality of Alexander Hamilton and smearing the heritage of centuries of political enlightenment. It distorts our Constitution beyond all recognition” (U.S. Congress. House. 2 November 1995, 4). By invoking the symbols of legitimacy, Schumer points to the deviant and extreme nature of the beliefs of militias while being in a position to claim to define what behaviour is extreme and what is patriotic. He states what patriotic Americans should do (marginalize militias), based on his perception of their extremist behaviour (gun-toting and bomb throwing) and thus clearly seeks to delegitimize these extremists while affirming the legitimacy of the State. Others seek to demonstrate that any fears militia and other Americans may have of the federal government are unfounded precisely because the system in which they live is legitimate and benevolent.. Republican Congressman Peter King stated that

The members of the so called militias have nothing to fear from the government – perhaps the only government in the history of the world that would permit their organizations to exist at all. They are not ‘patriots’ – they are pathetic individuals for whom the imagined existence of some nebulous conspiracy and the compulsion to dress up and play ‘army’ on the weekends provide some sad meaning to their lives (U.S. Congress. House. 2 November 1995: 191).

King seeks to emphasize who is in control: the State determines whether they can exist at all. Further, militias are portrayed as un-patriotic because they are 'paranoid' and 'pathetic.' The organization of a 'private army' as a means of protest is disregarded, and militia members as false patriots because they seek to protest legitimacy in what is seen to be a deviant, criminal and extreme way. The militias self-perceptions about their patriotic actions are challenged by the State who purports that patriotism is accepting the legitimacy of the State. Further, militias cannot be seen as patriots because of their extremism. As Congressman Conyers said "militia members must be exposed for the virulent, racist, anti-Semitic paranoid conspiracy theorists that they are before they gain further power. Bigotry, intolerance, a love of high powered weaponry and abhorrence for the federal government do not combine to make patriotism, no matter what members of these groups may claim" (U.S. Congress. House. 2 November 1995: 12). Conyers believes that militias should be ignored because their rhetoric is not patriotism, or protest for that matter, but a reflection of their extremism.

After the Oklahoma City bombing, President Clinton declared militias as unpatriotic. He was quoted to say in an article in the Reuters News Service, "How dare you call yourselves patriots and heroes...there is nothing patriotic about hating your country or pretending that you can love your country but despise your government" (McQuillan 5 May 1995: np). Clinton thereby states that to hate or dissent against one's government is equated with hating one's country, making them un-American and un-patriotic. Another journalist from the *Los Angeles Times* quotes Clinton who further delegitimated militias by stating that they are perverting American symbols for view that are "just plain wrong"

How dare you suggest that we in the freest nation on earth live in tyranny?
How dare you call yourselves patriots and heroes? If you appropriate our
sacred symbols for paranoid purposes and compare yourselves to Colonial
militias who fought for democracy you now rail against, you are wrong"
(Richter, 6 May 1995: 1).

Thirdly, militia members and other 'anti-government' groups are depicted as racist and anti-Semitic. In the hearing held on June 15, 1995 Senator Bacus of Montana stated that there are "two fundamental beliefs" (U.S. Congress. Senate. 15 June 1995: 5) of militias - "suspicion of government and a deep strain of racism and anti-Semitism" (U.S. Congress. Senate. 15 June 1995: 5). He also argued that "since

militias formed, terrorist acts and anti-Semitic incidents have become noticeably more frequent,” (U.S. Congress. Senate. 15 June 1995: 8) but he said this without factual evidence to connect the two. In the November hearing Schumer stated that “these armed militant groups and their allies are pouring a steady stream of ethnic, racial and religious hatred into America” (U.S. Congress. House. 2 November 1995: 4).

According to these politicians, the extremist beliefs of militias makes them synonymous with the groups that led to the rise of Hitler. Representative Peter King said that “their true antecedents are the brutal paramilitary street brawlers of Weimar Germany, who helped pave the way for Hitler’s rise to power” (U.S. Congress. House. 2 November 1995: 193). The perception is that they are an extreme danger to democracy: “The so-called citizens militias movement threatens the very fabric of a democratic society. Shouldn’t we be concerned by scores of heavily armed private armies being fueled by a steady diet of screwball conspiracy theories, heavily laced with xenophobic and racist elements? I think so” (U.S. Congress. House. 2 November 1995: 192). In trying to delegitimize militias, politicians rely on the perception of inherent racism and anti-Semitism, so they can claim that if the hatred and intolerance is not overt, these groups are disguising their racist and anti-Semitic nature, and is in fact ‘covert’, or a strategy of deception. From their position of legitimacy, they entrench the perception that these extremists are illegitimate political actors, whether the general public can see that or not. Senator Mills stated that the militias “see this as an opportunity to come to the forefront and expound those hate philosophies and carry out their acts” (U.S. Congress. Senate. 15 June 1995: 82). Again, they seek to emphasize that the public should not be duped into believing these groups are anything but extremists, criminals and deviants who are trying to look legitimate to further their cause. This is the strategy of the State in delegitimizing the movement as right wing extremists as opposed to political protesters.

Fourthly, militia members and other anti-government groups are perceived by these politicians as violent and terroristic based on their alleged extremist beliefs. This terrorism is compared to the most extreme examples: “These private armies are the lawless siblings of Hamas, of the Nazi brownshirts, and of all other criminal bands that have believed they have the right to bomb, to kill to terrorize the public as a means to win the public debate” (U.S. Congress. House. 2 November 1995: 13). From President Clinton’s comments, it is clear he sought to associate terrorism with fear of government, or challenges to that government, so that dissenting from one’s

government was not only un-American, it was terrorism. This 'guilt by association' tactic (Postrel 1995: 6) served to present the conflict as one where the opponents of the day can be associated with the terrorism of one or two individuals. Postrel's interpretation of Clinton's tactics are that "anyone who 'believes the greatest threat to America' comes from the government might as well be a terrorist. After all they're on the same philosophical team" (Postrel 1995: 6). She says that "in the wake of the Oklahoma City tragedy, we have seen a different side of that confusion – the deliberate conflation of his opponents' words with the deadly deeds of a handful of vicious, isolated individuals. Using tactics that would make Joe McCarthy sit up and take notes, Bill Clinton has sought to intimidate the critics of government policy by branding them as terrorists" (Postrel 1995: 7). Further, there was an attempt to associate the label of paramilitary or private army with terrorism, because the existence of such 'private armies' in a community terrorizes the community, justifying anti-training legislation. Although there was recognition that definitions were vague, militia was clearly associated with extremist violence by Representative Howard Coble of North Carolina: "The words 'militia', 'a private army', 'army', 'group', these are vague. I am not defending folks, these screwballs who are trying to kill everybody in sight with whom they disagree" (U.S. Congress. House. 2 November 1995: 122). Even though questions were raised as to the nature and objectives of militias in terms of extremists, within the hearings they were delegitimated by being labeled as 'screwballs' who want to 'kill everybody in sight.'

Some of these reactions could be said to be based partly on a hypersensitivity of appearing to be sympathetic and therefore make alarmist, sensationalist and even extreme statements regarding militias. Officials who aligned themselves with militias were 'threatened' with delegitimation by other officials. As Congressman Peter King stated, "what possible logical or political gain is there in appearing sympathetic to this radical movement? Why are a handful of politicians carrying water for these wackos?" (U.S. Congress. House. 2 November 1995: 192). There was enormous pressure to delegitimize militias in the hearings and to conform to acceptable beliefs regarding their extremism.

Regardless of the fact that no 'hard evidence' exists to suggest violent or terrorist behaviour associated with militias, witnesses provided evidence of 'acts of violence' by militias (U.S. Congress. Senate. 15 June 1995: 3). Cited as evidence were verbal threats by members of the Michigan Militia, conspiracy to commit murder

by members of the Blue Ridge Hunt Club, and 'hate' literature and speech which the Representatives regarded as inciting violent behaviour. In any case, it was accepted that in one way or another, these actions represented violent behaviour, based on the assumption that militias were responsible for the Oklahoma City bombing. When asked to "describe militias in one of the following four words" (U.S. Congress. Senate. 15 June 1995: 77), the Senators were asked if they thought the militias to be "useful, benign, disturbing or dangerous" (U.S. Congress. Senate. 15 June 1995: 77). All of the Senators said 'disturbing' and 'dangerous' (U.S. Congress. Senate. 15 June 1995: 77). Gregory T. Nojeim of the ACLU in the November hearing (U.S. Congress. House. 2 November 1995: 165) pointed out that "the court examined in great detail the danger of permitting the government excessive latitude in branding political groups as violent and in characterizing their activities as conspiracies (NAACP v. Clairborne Hardware 458 U.S 886 1982). This case pointed to the danger in branding an entire movement based on the actions of several individuals, and can be applied to the militia movement based on the connection between Tim McVeigh and Terry Nichols. The State demonstrated that it was quick to associate the actions of a few individuals who were extremist, violent and terroristic to brand an entire movement, whether or not those individuals were even proven to be involved with a particular movement from the perspective of legitimation. The objective of the State in squelching protest perceived to be extremist is to make this association in order to justify the repression of that movement.

From the examination of the tactics of labeling militias as extremists, deviants and criminals, it is apparent that these tactics are also used to legitimate the State and justify the way in which the militia movement is handled. These tactics are also used to justify the benevolent State: putting away criminals, exposing racist anti-Semites who are violent and terroristic. However, "deviantization and criminalization rarely - if ever - protect the interests of society as a whole" (Ben-Yahuda 1992: 86). Also with extremism, when analyzed in the context of a conflict and negotiation over legitimacy, the interests served and protected are the State's.

The next section will examine how the media, monitoring groups and academic literature serve as agencies of socialization which support the legitimacy of the State, and in doing so, employ the same tactics which give legitimacy to the State. They also display their own institutional agendas and objectives, and particular ways of delegitimizing militias.

Ideological State Apparatuses

The ability of the State to delegitimize movements is also contingent on various agencies of socialization. The legitimacy of the State is also secured through social control that serves to delegitimize marginal groups like militias. According to Alain Touraine,

In a highly mobilized or modern society, power and domination are everywhere and not only in the hands of a Prince. M. Foucault, in particular, has introduced the idea of the diffusion in modern society of systems of normalization and of social and cultural control. The triumph of rational interest means the exclusion of social categories or types of social behaviour which are identified by a rationalizing elite with irrationality and traditionalism (Touraine 1987: 208).

Militias are excluded as legitimate political actors through the use of ideological state apparatuses which protect state hegemony. Through other agencies of social control, groups perceived as threatening to the legitimacy of the State can be excluded and labeled as deviants, criminals or extremists. The State shares a common perspective with institutions of socialization, like the media, monitoring groups and academia which can be described as ideological state apparatuses, or institutions which “produce in people the tendency to behave and think in socially acceptable ways, as opposed to the repressive state apparatuses such as the police or the law, which coerce people” (Fiske 1992: 287). These institutions share the establishment perspective and safeguard the State against challenges by delegitimizing protesters using their own institutional tendencies, but which also presents militias as deviants, criminals and extremists. This perspective becomes the ‘commonsense’ of the society demonstrating that “the social norms, or that which is socially acceptable, are of course neither neutral nor objective; they have developed in the interest of those with social power and they work to maintain their sizes of power by naturalizing them into commonsense” (Fiske 1992: 287).

Media

The role of the State is to have “control over agents of socialization, including the media” (Friedrichs 1980: 153) in a structure of domination and compliance. The media is an ideological state apparatus: “the mass media in advanced capitalist societies are mainly intended to perform a highly ‘functional’ role; they too are both the expression of a system of domination and a means of reinforcing it” (Miliband 1969: 221).

This serves to create ideological alliances and congruent perspectives between the media and the State. As a result, the media disseminates the cultural meanings, values and symbols that the State uses to create and maintain legitimacy for itself. Protesters, social movements and any type of challenge to the legitimacy of the State are often presented in a way that delegitimizes such challenges and/or the challengers. This safeguards the State against such challenges by presenting them in a particular way as well as by making the presentation a ‘common sense’ understanding. The “media strategies” (Molotch 1979: 82-84) in covering dissent includes alerting “the public, other members of the ruling class and those bureaucrats and professionals particularly responsive to ruling class needs of impending danger to the status quo...as is often pointed out in the journalism texts, the media operate as an early warning system of troubles arising” (Molotch 1979: 82). Since the State represents the status quo, and therefore legitimacy, the media protect the legitimacy of the State from dissent. The media coverage of groups like militias also must be consistent for the media to have legitimacy, most evident by the selective coverage of ‘experts’ who were willing to testify as to the extremism, deviance or criminality of militias, and were ignored if they did not. As one researcher states,

Adam Parfrey, author of an October 1994 story about the militia movement in the *Village Voice*, became an instant militia ‘expert’ after the April 1995 bombing in Oklahoma City. Major news organizations contacted him, seeking a quote linking militias to the bombing. When he suggested there was no connection, reporters quickly lost interest. The mainstream media’s combination of certitude and ignorance was summed up by a statement from a Washington Post researcher who talked to Parfrey: ‘the militias – whoever the fuck they are – are a ticking time bomb composed of paranoid lunatics’ (Kopel 1996:57).

The actions of militias are delegitimized by the media, since they are not recognized as political protesters, or alternatively their social action is determined to be an illegitimate form of participation and expression. The media also made it common sense that militias are deviants, racists, anti-Semitic, violent terrorists responsible for the Oklahoma City bombing. With groups like militias, the media are extremely influential in determining the perception of the public, as the media are the only source of information they have on such groups (Shoemaker 1982: 67).

There is an assumption that journalism needs to be objective. However, those who are in media are part of the same culture and structure of domination and compliance as militias, and therefore cannot remain neutral in a conflict over legitimacy. Further, the media have operational imperatives and perspectives which cause them to negate the legitimacy of the protesters and support the State. Firstly, the political disposition and socialization of journalists may cause them to judge protesters as illegitimate. Secondly the fear of appearing to be sympathetic to the protesters propels the media to support the State and delegitimize the protesters. Journalists “often hesitate to deal with social criticism for fear of seeming like advocates” (McLeod 1995: 6). Thirdly, the operational imperative of appearing to be ‘objective’ prevents them from openly espousing or encouraging social protest (McLeod 1995: 7). Other contributing factors may also be considered, such as constraints on the length and depth of coverage, the way in which they are edited, and time constraints imposed on journalists and reporters.

The way these factors serve to delegitimize militias and legitimate the state are explained through theories of media discourses.¹³ According to Philip Elliott, Graham Murdock and Philip Schlesinger (1986: 264-286) the media coverage of particular groups branded as terrorists can be divided into three discourses: official, alternative and oppositional.

Official Discourse

The Official Discourse supports the legitimacy of the State by framing protesters as illegitimate political actors. The Official Discourse serves to delegitimize the

protesters, due to the influence the media has on audience perceptions and its dominance over particular readings. With this discourse, the framing of stories on protesters is conflict based: it pits protesters against an “opposition target, typically a government or corporate agency” (McLeod 1995: 6). As a result, the media mirror the tactics of the government in delegitimizing militias, and reflect a “persistent effort to deny any political character to the armed struggle” (Elliott et al 1986: 265). To this end, the media appear to become engaged in the conflict, defending the legitimacy of the State against these deviants, criminals and extremists.

Deviantization - The media communicate the deviance of protesters and social movements as part of the Official Discourse: “research suggests that media coverage of groups that diverge from mainstream norms, values and beliefs highlights the ‘deviance’ and questions the legitimacy of such groups” (McLeod 1995: 5). The media thus serve to delegitimize social protesters: “in the process of communicating deviance, news coverage of social protest tends to highlight distinctions between legitimate and illegitimate groups...the nature of media coverage of a protest group varies in relation to the journalist’s perception of the group’s legitimacy” (McLeod 1995: 6). According to Shoemaker,

The more deviant a political group is perceived as being, the more newspeople will ridicule it...the media do not treat these groups as legitimate political contenders. The groups opportunities to reach their goals are decreased, and a possible threat to the status quo is removed (Shoemaker 1982: 66).

The effect is to remove the threat or power of such groups in the conflict with authority through delegitimation. Shoemaker further states that “the U.S. media are instruments which maintain the system’s ideology by delegitimizing deviant groups” (Shoemaker 1982: 251). Thus, the more the group is perceived as deviant, “the less legitimately the group will be portrayed” (Shoemaker 1982: 67). The effect of the media portrayal of militias is to create or reinforce the perception with the wider public in the audience that militias are illegitimate political actors, and deviants that require social control: “the negative portrayals of social protests and movements may

¹³ A discourse is “a socially produced way of talking or thinking about a topic...a socially located way of making sense of an important area of social experience” (Fiske 1992: 301).

predispose the audience to resist social protest as a viable form of democratic expression; thus the media may reinforce other socializing agents in promoting obedience to authority” (McLeod 1995: 4).¹⁴ Thus, because of the perceived and actual impact of media coverage, the media are a principle means of legitimating the State.

Part of the media’s tactic of deviantization is to completely trivialize the concerns or grievances of militias as the product of irrational or un-American beliefs and behaviour. For example, on a television news programme called *Newschat* on Microsoft Network NBC (29 April 1997), a caller to the show stated that “in this country, doesn’t it start on the fringes?” The anchor, John Gibson, deprecated the notion and said “Yah, in Peru, in Equador”, then cut ‘Mark’ off to go to a commercial break after ‘Mark’ discussed how he did not feel represented by government. Then Gibson went on further to explain that he did not want “to endorse President Clinton’s view of them” (MSNBC 29 April 1997), but continued to delegitimize any view which would present militias in a legitimate way. For example, another caller, named ‘Gary’ argued that Americans are tired of paying taxes, and of unresponsive big government, and discussed the role of militias in American history, to which the Gibson said “Gary, listen. I hope you don’t take this personally, but I am going to characterize what you have said as fractured reasoning – no offense to you.” (MSNBC 29 April 1997).

Criminalization - The media criminalize militias by associating criminal behaviour with the militia movement. They do this by identifying criminals as militia members, or associating criminal groups with the militia movement. As a result of the Oklahoma City bombing, a number of stories were reported in the news that somehow associated militias with terrorism. ‘Militia’ became an umbrella term for the criminal potential and behaviour of all groups in society that possess firearms. Even if such criminals were not directly related to militias, they were considered to be sympathetic

¹⁴ In a study on television news stories, it was shown that “the framing and focus of a protest story can affect the audience’s perceptions of the protesters’ legitimacy” (McLeod 1995: 4). What must also be considered is how these discourses encourage preferred meanings for the audience which delegitimizes protesters. To this end, Fiske explains the “preferred reading theory” (Fiske 1992: 292) of television which “proposes that TV programs generally prefer a set of meaning that work to maintain the dominant ideologies but that these meanings cannot be imposed, only preferred” (Fiske 1992: 292). In this sense, the viewer will accept, negotiate or reject the meaning which supports the legitimacy of the State by three “reading strategies” (Fiske 1992: 292) – dominant, negotiated, and opposition, but “the dominant ideology works to close off alternate or resistant meanings and to homogenize the referred ones around its own interest” (Fiske 1992: 292). While this is important to consider in terms of the influence of the media on the audience, the focus of this study is the tactics of the media in determining preferred readings and the ways in which the State is supported by the media in its perspective.

to the movement or being similar in beliefs without the media explaining how these individuals and groups were understood to be militias. One example was the “false anthrax alarm” (Annin and Morgenthau 1998: 50) in Las Vegas which was reported to be associated with militias throughout news stories. This led to the arrest of Larry Harris and William Leavitt “for conspiring to possess and use a biological agent as a weapon” (Annin and Morgenthau 1998: 50). However, it was later discovered that the two men involved were an “ex-Aryan” and a “devout Mormon” who possessed the anthrax vaccine (Annin and Morgenthau 1998: 50).

The media association of protest with terrorism is the most effective tactic in delegitimizing groups; the association of militias with the Oklahoma City bombing was due to the media. Even after the bombing, militias were continually associated with terrorism. The method was to place any report on weapons violations, ‘militia’ groups or extremists charged with criminal offenses directly prior to or after reports on the trial of Timothy McVeigh. In one news report, the media detailed a crackdown on a ‘militia cell’ by the Los Angeles Police Department’s Anti Terrorism Division. It was reported that “police said lives were spared today as a result of these arrests today. These investigations did begin a couple of years ago around the time of the Oklahoma City bombing when local police were asking for expanded powers in investigating militia men and hate groups...” (Channel Five News, 9 May 1997). This report, like many, associated militias with the Oklahoma City bombing, illegal firearms possessions, and ‘hate groups’, without ever specifying how the group was a militia, or how the criminal offense related to a militia beyond weapons possession. Further, when criminality does occur with ‘anti-government’ groups, they have become associated with militias, even if there is no apparent connection. Besides reporting the connections to terrorism or anti-government beliefs, other individuals and groups who may have no apparent connection apart from their criminality are tied to the militia movement as militia-like, or militia sympathizers.

‘Extremists’ - Militias are also defined by the media as extremists in the sense that they are irrational political actors, false martyrs, violent, racist and anti-Semitic. As a result of the Oklahoma City bombing, “the media needed scary people to show to a public ravenous for answers” (Tanner 1995: 43). Further, the media reported the violent nature of militias by continually quoting Samuel Sherwood, who was the leader of the United States Militia Association at the time. Sherwood was reported to

have “told his audience to look legislators in the face today because ‘you may have to be shooting them in the face’ tomorrow” (Tanner 1995: 43). It was shown that this quote was inaccurate, but journalists never stopped to critically examine the sources, except for one journalist in particular, Mack Tanner who was reporting at this particular meeting. According to Tanner, Sherwood “said just the opposite:”

In the closing minutes of the meeting, Sherwood made an impassioned plea for using political action rather than violence in correcting the wrongs that the members of the United States Militia see in government. He suggested that if the listeners wanted to grab a gun and shoot their legislators, they should first go look them in the face and recognize that the legislators are also American citizens who are fathers, mothers, husbands and wives. The audience not only understood that he was arguing against violence, they applauded his remarks...I was actually at the meeting (Tanner 1995: 45).

The media focused on the ‘terror’, and the result was to create a particular perception of militias which became evident in public opinion. A poll conducted after the Oklahoma City bombing based its questions on peoples’ understanding of the groups from the media: “as you know, the bombing in Oklahoma City has generated some publicity about people who have banded together to form armed militias...do you approve or disapprove of the right of citizens to form armed militias like this?” (DiCamillo and Field 1995: 7). The article stated that based on the results of the polls, that Americans were mostly opposed to militias: “the public’s opposition to militias appears to be based on their fear that they pose a serious threat to our society. Two in three Californians felt that militias pose either a very serious (31%) or somewhat serious (36%) threat to society, while only 30% do not consider militias to be a serious threat” (DiCamillo & Field 1995: 3). In another poll (ABC News/Washington Post Poll May 10-14), “eighty three percent of Americans” were said to “oppose and mistrust private armed militia groups thrust into the spotlight after last month’s bombing in Oklahoma City” (*Reuters News Service*, 18 May 1995).

As extremists who are violent or terroristic, militias were also depicted as having a disregard for the humane tradition (Collins 1986: 266), where the Official Discourse of the Oklahoma City bombing was to focus on the emotional issues of the bombing and on militias as cruel and inhumane. In this way, media stories focused on the tragedy of the bombing. The Official Discourse of the Oklahoma City bombing was

that to give any legitimacy to these deviants, criminals and extremists in light of this tragedy would be justifying the tragedy and their actions.

The effect the media has been to reinforce the range of beliefs and behaviour that are acceptable to the State, legitimating the State in the process. As such, the “media narrow the boundaries of the marketplace of ideas (McLeod 1995:18). The coverage of the Oklahoma City bombing is said to mirror the tactics of the McCarthy era, where “guilt and condemnation are being conferred even upon those who sympathize with the concerns of certain groups” (Dority, November/December 1995: 14). Thus, as an agent of social control the media are able to marginalize militias to the extent that supporters of such groups can expect to be treated as if they were part of those groups, thus removing the potential for political mobilization. Further, the media serve to ‘groom’ society in preparation for the repression of such groups: no one would object to the incarceration of groups who are directly responsible for terrorism. The State legitimizes itself as protecting citizens from these people by identifying them as a threat, and using force to deal with them.¹⁵

Alternative Discourse

Contrary to the Official Discourse, the Alternative Discourse develops “piecemeal challenges” (Elliott et al 1986: 266) to the legitimacy of the State, but the challenge is not a fundamental one. Media that adopt an Alternative Discourse are not accepted into the mainstream media where the Official Discourse dominates.

Rather, the media accounts which seek to understand the legitimacy of militias have

¹⁵ As part of the popular culture, but also as a medium which supports the official discourse, movies have also delegitimized militias in their presentation. Two movies in particular can be cited. Firstly, “Mad City”, (Gavros 1997) a story about the media treatment of a disgruntled employee who unwittingly creates a hostage situation, delegitimized militias through its portrayal. The police warn each other to watch out for the arrivals of the militia. They are called “racists” and “neo-Nazis” in this film, and ridiculed by police for wanting to protest against something as ridiculous as this hostage situation. In another movie, a satire about American politics called “Bulworth” (Beatty 1998), Warren Beatty is a Senator who goes crazy during his election campaign in that he is now just ‘telling it like it is’ in American politics. At one campaign luncheon, he does a rap about the ills of America, and claims that part of the problem is that “we’ve got militias throwin’ bombs.” Another movie which connected militias to terrorism in America is “The Siege” (Zwick 1998) and “Arlington Road” (Pellington 1999). There are also numerous television movies, such as “Nightmare in Big Sky Country” (Lifetime Original Movies 1998) and “Militia” (1999) which legitimized the FBI and delegitimized militias as extremists, deviants and criminals. The pervasiveness of the association of militias with terrorism has even stretched to mediums such as Sony Playstation games. In the *X-Files* Playstation game manual, the player is told they are an FBI agent whose employment history was organizing an anti-terrorist division “to investigate the presence of anti-government militia groups” and the player has been “involved in investigations that led to the dismantling of several militia groups” (Twentieth Century Fox 1999: np).

been relegated to alternative magazines and journals. Instead of seeking to delegitimize militias, the Alternative Discourse seeks to explore the process of legitimation and delegitimation between the State and protest groups. What has occurred within the media is for those of the Alternative Discourse to challenge those employing the Official Discourse, and in this way highlight the legitimacy process between the State and protesters. With Mack Tanner's article, entitled "Extreme Prejudice: How the media misrepresent the militia movement" (1995: 43), it was concluded that after interviewing militia members that the "motivations, members attitudes, and tactics have been grossly mischaracterized by culturally ignorant reporters more concerned with telling sensational stories than with explaining the more complicated truth" (Tanner 1995: 43). One political analyst, David Kopel stated that "it is a sad testament to the bigotry of certain segments of the media that totally unsubstantiated, vicious conspiracy theories of the type which were once employed against Catholics and Jews are now being trotted out against militia members, patriots and gun owners" (U.S. Congress. House. 2 November 1995: 178). In a similar vein, an article published in *The Humanist* entitled "Is the Extremist Right Entirely Wrong?" by Barbara Dority, argued that "most reporters and journalists ignored the larger civil liberties issues raised...broader issues – like search and seizure, the role of the military in domestic law enforcement, and religious freedom – were only superficially addressed" (Dority 1995: 15). Virginia Postrel's editorial on the media coverage of the Oklahoma City bombing also challenged the Official Discourse in presenting an Alternative Discourse. According to Postrel, the blurring of distinctions between terrorism, rhetoric, and the official line on the justifications for violence was the media tactic, but she states that

Such tactics must not work. Loud voices are not the same as violent deeds. Criticism is not the same as murder. Exposing government violence is not the same as blowing up buildings. It is grossly irresponsible to blur these distinctions (Postrel 1995: 13).

Television news programmes are also more adaptable to alternative perspectives in the ability to have varying viewpoints in addition to the official one. A militia expert on the MSNBC show *Newschat* (29 April 1997), Vincent Coppola, stated that he could identify with the concerns of militias in that "government is run by corrupt politicians...this is part of the militia movement" (MSNBC 29 April 1997). The response from the anchor, John Gibson, was that "the way this is handled in this

country is by voting and by the courts” (MSNBC 29 April 1997). Similarly, Jennifer Grossman, a political analyst, stated on the program that “these are people who have a political viewpoint, and I don’t think you can ignore that political viewpoint” (MSNBC 29 April 1997). Certain television programs and articles present the Alternative Discourse in that they allow views which challenge the official view of militias. In doing so, they acknowledge how the protesters may feel, but do not critically address the legitimacy issues or challenge the legitimacy of the State, for this might be construed as aligning them with the militia movement, and thus extremist views.

Oppositional Discourse

The oppositional discourse is where political violence is stated to be justified as a means to demonstrate the State’s hypocrisy in claiming legitimacy (Elliott et al 1986: 267). This would be appropriate in situations where the State is “practicing state terror” or for example, when the State is in a colonial role and there are nationalist movements against such rule. However, in the case of protest movements like the militia movement, the oppositional discourse would be difficult if not impossible to find in the media because the conflict is not accepted by the media as justified. Rather, such a discourse is found in literature distributed by the members of the movement itself and will be analysed in chapters four and five.

Monitoring Groups

Monitoring groups are organizations that monitor extremist activity deemed to be dangerous and threatening to society and democracy as a whole. Their objective in monitoring extremist activity is to protect the civil liberties and rights of individuals and groups in society by combating religious and racial intolerance through education and litigation. By actively monitoring and marginalizing extremist groups who have a propensity for committing hate crimes, the community can be prepared to deal with and counter the actions of such groups. The objective of this marginalization is to remove any legitimacy or political validity: extremist groups must not be allowed in the political arena for fear of their objectives.

There is no doubting the necessity for the existence of such organizations, nor the nobility and honorable intentions of the activists that compose such organizations.

However, the purpose of this section is to examine how monitoring organizations delegitimize and depoliticize militias defined as extremists, and how monitoring groups support the legitimacy of the State in the process. While not all monitoring groups are the same, the point of this section is to highlight a particular perspective which is shared by monitoring groups towards extremism – a perspective which has been defined by their organizational imperative and objectives. By examining the nature, objectives and the context in which monitoring groups operate, the legitimization process involving militias can be better understood. What this examination reveals is that militias are an interesting case when examining extremism and the approach of monitoring groups because militias are a departure from ‘traditional’ extremists and extremism in American history. Further, due to the legitimacy that monitoring groups are afforded, their perspective dominates the understanding of right wing extremism. Thus, monitoring groups have been deemed the authoritative source on militias, and because of the influence their research and reports have on government and on legislation, it is important to examine how this perspective contributes to misunderstanding the political objectives of the militia protest.

The perspective and development of an organizational imperative of monitoring groups was shaped mostly by the 1960s. Such groups operate from a civil rights perspective which is embedded in a particular historical and ideological context in the United States. The 1960s witnessed the resurgence of extremist groups such as the Ku Klux Klan and the emergence of various white supremacist groups during the 1960s Civil Rights movement. This organizational imperative of fighting right wing extremism on the basis of racism and anti-Semitism has become the precedent by which all right wing extremist groups would be identified and dealt with. Thus, racism and anti-Semitism is thought to be endemic in any group that merges on the right wing fringes of the political spectrum.

As a result of this perspective, militias have become associated with the traditional racist and anti-Semitic groups by monitoring organizations without the necessary theoretical tools or objective of differentiating the ideology, behavior and objectives of right wing groups. Monitoring groups have sought to marginalize militias and deem them as racist and anti-Semitic because of their identification with the right wing extreme. While monitoring groups may legitimately feel that they have cause to approach militias with this perspective, the result is to present militias in a way that misrepresents the political nature of the protest.

Monitoring organizations also adopt a perspective which is not conducive to conflict resolution. A conflict resolution approach would require a different perspective and understanding of the movement, and solutions to dealing with extremists like militias. As Daniel Mozzachi of the Center for Democratic Renewal said, the job of monitoring organizations is to 'monitor' not to resolve any conflict (Mozzachi, 18 February 1998), or find solutions which involve understanding extremist groups beyond the existence of their racism or anti-Semitism. That is the job of human rights organizations (Mozzachi, 18 February 1998). Thus, monitoring groups have no reason to adopt any alternative perspective apart from their specific institutional one, because it changes their identity as monitoring groups and they have defined their objectives. What this means is that firstly, they ignore any possible legitimate political grievances and secondly, that in simply reporting the activities of militias, they are not invested or involved in finding solutions to the problem based on the legitimate political grievances that militias have. They fight against racism, bigotry and anti-Semitism, and rightly so, but the problem is that they often do so without differentiating between extremists, and without an attempt to understand new forms of political protest that have an extremist style. As a result, the information that monitoring organizations disseminate does not examine political causes or the political nature of militias with the intention of understanding them as legitimate political actors.

In exposing and combating extremists, several strategies and tactics are used to delegitimize militias. The effect is to support the legitimacy of the State against challenges by 'extremists' and to legitimate monitoring groups who challenge illegitimate groups. In the legitimization process, monitoring groups seek to present militias as deviants, criminals and extremists, as demonstrated below.

Deviantization - Militias are considered deviant, and are compared to individuals who are psychologically ill or irrational based on their paranoid views, and as a result, they need to be controlled. For example, Kenneth Stern of the American Jewish Committee (U.S. Congress. House. 2 November 1995: 46) said

Let me suggest one way that I look at their ideology. Imagine for a second you are a psychiatrist and somebody comes into your office and says these things that many militia members believe...you are wondering, gee, that's pretty delusional, paranoid, maybe I should get some treatment for this person, he's clinically paranoid. Then the person says, "by the way, I have

been stockpiling arms, guns, explosives...I mean that is the level of seriousness, if we did this on an individual level.

The comparison of a militia movement by Stern to the clinically ill individual and the need to 'treat' these individuals demonstrates the perceived need and justification to control this movement. This characterization leads to the delegitimation of militias as irrational and deviant, and also to the criminalization of such behaviour.

Criminalization - The perspective of monitoring groups is especially legal-centric, as they are mostly composed of civil rights lawyers. This defines the nature of the perspective as one that seeks to justify criminalization. In this way, militias are defined as 'hate groups' and their behavior as 'hate crimes' and monitoring organizations as 'anti-hate'. This serves to associate criminal behaviour with a type of thinking, and establishes the monitoring groups in a position of prosecutor.¹⁶

Kenneth Stern stated in the November hearing (U.S. Congress. House. 2 November 1995: 196), "this is a dangerous movement with an ideology of contempt for government laws, including criminal laws. It is urgent that law enforcement agencies understand the threat and begin to share strategies and information... Militia activity is not provided for by the Second Amendment. Private militias are in violation of paramilitary training laws." Stern attempts to connect alleged militia beliefs with illegal behaviour, and such groups are stated to be criminals because of their contempt for the law. This serves as an invocation to law enforcement to control or deal with these groups (U.S. Congress. House. 2 November 1995: 196).

Thus, monitoring groups criminalize militias in two ways; firstly, by interpreting constitutional law in relation to militias and deeming them illegal associations; and secondly, by proposing legislation and guidelines which criminalize militias. The presentation of militias as criminals supports the legislation which criminalizes their political organizations. At another point in the hearing, Stern similarly points to the

¹⁶ However, in recent years, several monitoring organizations changed their focus from 'anti-hate' to 'pro-democracy'. Some groups have chosen names to reflect a focus on democratic restoration or renewal. This may indicate a new strategy of legitimation for monitoring groups who are moving away from criminalization and more towards deviantization. Choosing names that are 'pro-democracy' may underscore the fact that militias are enemies of democracy because of their deviant and extremist beliefs. As a result, monitoring groups are using a 'pro-democracy' focus rather than 'anti-hate' which taps into the patriotic and positive emotions of Americans. Also, monitoring groups may have perceived the 'anti-hate' focus to be exhausted as a strategy thereby losing some effectiveness, causing monitoring groups to change their focus.

criminal aspect of these groups that requires legislation and regulation based on the presentation of these groups as terrorists: “The militia movement represents a new manifestation of hate group activity and domestic terrorism in the United States. The threat of militia violence and the encouragement of lawlessness and intimidation by these paramilitary groups underscore the pressing need for some effective regulation of militia groups (U.S. Congress. House. 2 November 1995: 53). The ADL has proposed model legislation that the Congressional and Senate hearings were based on.

‘Extremists’ - Militias are presented as extremists firstly in terms of their beliefs - racism and anti-Semitism; and secondly their behaviour - the use of violence and terrorism. In terms of beliefs, as extremists, they have anti-democratic beliefs and values. Michael Lieberman of the Anti-Defamation League said “We perceived the fanatical anti federal government message in so much of the militia propaganda as fundamentally anti democratic, with its exhortations to stockpile weapons in preparation for inevitable conflict with our elected government” (U.S. Congress. House. 2 November 1995: 40). Monitoring groups state the threat is based on militia ideology: “we believe exposure of the ideology and objectives of militia groups is an important component in containing the threat they pose” (U.S. Congress. House. 2 November 1995: 40). What is continually emphasized is their violent nature based on their beliefs, and the inevitable conflict they are preparing for. Brian Levin of the Southern Poverty Law Center’s Klanwatch said “these organizations see themselves as embattled. Many are literally preparing for war with the Federal Government” (U.S. Congress. House. 2 November 1995: 61).

As a result of their extremism, their grievances are deemed illegitimate, and it is perceived that any legitimate issue is manipulated by militias: “extremists in our society tend to try to exploit existing frictions and disagreements on public policy issues – such as crime, gun control, abortion rights, and race relations. These are legitimate issues to be passionately debated. But we must face and resolve such conflict peaceably, and not allow them to be manipulated by those who would use them to promote their own violent and anti democratic agenda” (U.S. Congress. House. 3 May 1995: 93). Kenneth Stern believes that paramilitary groups are inherently anti-democratic or un-American, thus delegitimizing the protest nature of militias:

America is not Somalia. We settle our political differences through many routes: free speech, petition, assembly, election, impeachment, checks and balances, Constitutional Amendment. The formation of private armies to settle these differences is not a protected interest – in fact, these armies threaten those protected interests (U.S. Congress. House. 2 November 1995: 52).

Monitoring groups continually emphasize that militias are trying to popularize their ideology and mask their racism to do so. Monitoring groups believe that the tactic of trying to present themselves as a civil rights movement is indicative of this. As Loretta Ross, the Programme Research Director for the Center for Democratic Renewal said,

I am going to talk mostly about the mainstreaming of white supremacist ideology embodied in the militia movement , but I do want to take one of my minutes to refute the claim said June 15th that the militias are part of the non-violent Civil Rights movement. I was absolutely outraged by that claim, and I don't think that we could let these hearings continue without directly and specifically refuting that claim. There are people in our public who are confused right now. They don't know whether or not the militia is part of the white supremacist movement or is it in fact part of the civil rights movement, and we have to say in no uncertain terms that this movement is an outgrowth of the white supremacist movement. It is peopled by members of the Ku Klux Klan, of the Aryan Nations, and even though they don't use the gutter racism that is normally associated with these groups, we cannot let them get away with the covert bigotry and racism that they do use (U.S. Congress. House. 2 November 1995: 276).

Thus, either militias are legitimated as a civil rights movement, or delegitimated as an extremist movement, with no broader perspective of the protest.

Similarly, Daniel Levitas, the Executive Director of the Institute for Research and Education on Human Rights in Kansas City, Missouri, reiterates the position that the tactic of militias is a front for their bigotry and racism. He says that “citizen militias are a patent fraud...Every Governor in the United States of America should issue a proclamation declaring the concept of the unorganized citizen militia the legal and constitutional fraud that it is. When the militia groups claim this constitutional high ground as their own, they are on slippery footage indeed. Through new legislation, Congress should once and for all put to rest this bogus concept” (U.S. Congress. House. 2 November 1995: 281-282). He further says that militias are not only synonymous with every right wing group, but they are in fact more dangerous because of their tactics: “these other political formations on the radical right, are in point of fact, one in the same indistinguishable from the militias in terms of ideology and root belief. However the militias have added a new element to the radical right in

this country which I think makes them in fact more dangerous than any other right wing group that we have seen, at least in the modern era, and that is the almost brilliant combination of the First Amendment and the Second Amendment, by marrying the tolerance and strongly held support for the First Amendment that we as Americans have, with a fanatical interpretation and embrace of the Second Amendment, the militias are truly creating a prescription for disaster.” (U.S. Congress. House. 2 November 1995: 280).

While monitoring groups are invaluable and even necessary, what monitoring groups say about militias must be understood in terms of the context in which these organizations perceive militias. Thus, the information they provide should not be accepted uncritically. This is especially important because of the legitimacy that monitoring groups are afforded. By virtue of their own legitimacy and honorable intentions, they are seldom questioned, or the information they provide evaluated beyond face value. Several monitoring groups have faced accusations of tactics such as false reporting by authors who have written on ‘hate-crime hoaxes’ (Tanner 1995; Wilcox 1994). However, the tactics and strategies of monitoring organizations are generally believed to be ethical and fair when subject to legal opinion, and in the few cases where such strategies and tactics involved bad information, it was neither intentional nor out of malice. The ADL and the Southern Poverty Law Center in particular have been taken to court for things ranging from malice and defamation of character to reckless disregard and libel. However, in all of the cases examined, judgment has been vacated in favour of the monitoring groups. In one particular case, (*Quigley vs. ADL*), it was shown that the ADL exercised poor judgment, but not out of any malice. In this case, there was a failure to “reasonably investigate before making public comments...failure to investigate obvious sources of refutation or corroboration of statements, especially when there is no time-pressure on their publication” (1999 U.S. Distr. Lexis 2768; 43 F. Supp. 2d 1163). As this case and other cases have demonstrated, often what may be taken as false reporting is merely the expression of opinion versus fact, and such reports are often based on a ‘reasonable assumption’ of racism and anti-Semitism based on reportable activity and connections (1996 U.S. Dist. Lexis 19860; 949 F. Supp. 1303). In this second case, it was shown that the Southern Poverty Law Center checked the sources and were “able to corroborate” (1996 U.S. Dist. Lexis 19860; 949 F. Supp 1303) the information. They stated that

“We are very careful about what we print. We are very sure” (1996 U.S. Dist. Lexis 19860; 949 F. Supp. 1303). What this also demonstrated is that monitoring groups are able to make ‘reasonable assumptions’ regarding racism and anti-Semitism when reporting about militias. Nevertheless, this does not resolve the matter of perspective and bias, and the way this information is often treated as accurate based on these assumptions.

At the same time we examine monitoring groups for their approach to militias, it must be acknowledged that they remind us that any extremist group must be approached with caution and that any reasonable belief of militia activity which is racist or anti-Semitic should be reported. However, it should also be said that this caution must also be accompanied by well informed research and not based on the fears surrounding assumptions regarding militias, and the acknowledgement that the movement is diverse which means that while it may contain racists, this does not categorically condemn every member and every group as racist and anti-Semitic. It is not a bogus political concept to its members, or a sham to those who have political objectives.

Education and Academia

Education is a means of socialization, and although academia is certainly not monolithic in perspectives towards extremism, research has tended to delegitimize militias. This section will put those perspectives in the context of conflict. Academia has an aura of legitimacy that surrounds academia because of perceptions of wisdom and ‘higher learning’. However, academia is also limited in perspective, and tends to legitimate the State. Further, with a few exceptions, academia has its own discourse that delegitimizes right wing extremists because of the common perspective with the State.

The examination of academia is from two perspectives: legal scholars and social scientists. From the legal perspective, militias are criminalized as illegal associations, either by paramilitary law or by legal interpretations of the Second Amendment. Part of the problem is the confusion and the lack of precision and meaning regarding militias and the Second Amendment, because “nowhere in the Constitution is the term ‘militia’ actually defined” (Fields and Hardy 1992: 1). As a result, the conflict is over

who has the correct interpretation, and legal scholars claim to be the only legitimate interpreters.

With the lack of definitions and meanings, militias have tended to be defined as illegal associations by criminalizing them as paramilitary organizations. This definition serves to delegitimize the movement as criminal associations and to remove the understanding of their political objectives and replace it with the State's perspective of criminal intent. Further, the term 'paramilitary' has a negative and criminal association with the characteristics of the right wing extreme. The aims of a paramilitary organization under law is to create civil disorder, to commit crimes and acts of violence. Under New York law, "a paramilitary organization means an organization of two or more persons who engage or conspire to engage in military instruction or training in warfare or sabotage for the purpose of unlawfully causing physical injury to any person or unlawfully damaging the property of any person" (Polesky 1996: 1608). In Louisiana law, a paramilitary organization is defined as a "group organized in a military or paramilitary structure, consisting of two or more persons who knowingly possess firearms or other weapons and who train in the use of such firearms or weapons, or knowingly teach or offer the use of such firearms or weapons to others, for the purpose of committing an offence" (Polesky 1996: 1608). The emphasis is on intent, and the definition of militia as paramilitary serves to connect their extremist beliefs with the intent to commit crimes and violence. The perceptions surrounding the terms 'paramilitary' and 'private army,' associates contemporary militias with lawlessness and violence. According to Polesky, "a court once speculated that 'the proliferation of military/paramilitary organization can only serve to sow the seeds of future domestic violence and tragedy'" (Polesky, 1996: 1641) and this prediction "appears to comport with the view of private militias as perceived by others" (Polesky 1996: 1641). Legislation has been created on the basis of such perceptions, and they have in many states, served as justifications for anti paramilitary organization and training statutes with the emergence of the militia movement.

According to Polesky,

States promulgated anti organizations and anti training statues presumably because of the alleged threat to society posed y the proliferation of private militias. The Montana State legislature, for example, found that 'conspiracies and training activities in the furtherance of unlawful acts of violence against person or property are not constitutionally protected and pose a threat to public order and safety' (Polesky 1996: 1609).

Militias are surrounded by a particular perception of the law which serves to disregard their nature as a political organization. The interpretation of the Second Amendment tends to focus on several elements. Firstly, militias are delegitimated by legal scholars who state that the National Guard is the legitimate militia force: “most commentators have concluded that the organized militias of the states, which together comprise today’s national guard system, are the only groups that fit within the constitutional definition of militia” (Dougherty 1995: 980). While legal scholars emphasize the organized versus unorganized militia to delegitimize the modern militias, there are those who support the legitimacy of unorganized militias as separate from the National Guard: “the Framers emphasized the importance of the unorganized militia in the constant struggle to forestall tyranny; one could not rely on the organized or select militia, as the body itself could become corrupt” (Williams 1991: 558). Militias thus claim they are the ‘unorganized’ militia for their legitimation. Secondly, the debate over the militia movement’s validity as an extra-institutional protest also concerns the specific meaning of terms such as ‘well regulated’, ‘the people’, and the intent of the Second Amendment.¹⁷

Thirdly, militias are also delegitimated in their attempts to interpret legal documents or use the law to legitimate their own historical and political identity. One legal scholar, Rob Tarver, believes that this glorifies present day militias and increases our tolerance, when in fact, we should be treating them as extremists: “we look at militia groups and glorify them and say, okay, these groups have some tie to the original founding freedom fighters, and we wouldn’t tolerate that from any other group in this nation except from these groups calling themselves militias” (MSNBC 29 April 1997). Similarly, legal analysts also delegitimize militias by claiming militias are legally redundant by legal interpretations: there is no place for militias in modern society. To this end, it is believed that “the 18th Century militia system no longer exists” (Dougherty 1995: 970), nor the ability of militias to fulfill their function which would be to combat a standing army of a tyrannical government. Further, there is no

¹⁷ This issue is important as it determines the validity of who comprises the militia, and whether or not the government controls the militia. One argument is that ‘the people’ make up the unorganized militia because they would be the citizens free from government control (Williams 1991: 558). Some claim that the provision of being ‘well regulated’ prevents this, while others say that it is open to interpretation, depending on individualist rights arguments and state rights arguments (Dunlap 1995: 11). The militias claim that they are not using the militia to advocate individualist gun rights, and that the militia is comprised of ‘the people’ – all Americans. ‘Well- regulated’ means that they need to be well armed and trained. In any case, the distinction is one open to interpretations, but the legal interpretation more often than not serves to delegitimize the militia movement.

need for militias precisely because the rule of law, (and therefore the legitimacy of the State) makes militias legally ridiculous: there is no danger of tyrants being in power because we have free and open elections, checks and balances, and due process. The delegitimation of militias comes about especially because they are denied legal status or validity, and are criminalized as extremists who remain outside the law.

Academics from social science have also produced literature that demonstrates they reinforce the legitimacy of the State by interpreting militias in terms that delegitimizes them. Social scientists have written on militias largely and uncritically accepted that this is the case, delegitimizing any real attempts at not only analyzing the legitimacy of the groups, but in the process in which they have come to accept that militias are illegitimate political actors. As a result, social scientists have also served to educate the public about what constitutes legitimacy, and have reinforced the ideology that supports the legitimacy of the State.

Social scientists have also tended to delegitimize militias in several ways. Firstly, militias are treated synonymously with racists and anti-Semites, and are interpreted in the framework of what is known about right wing extremism. The history of theoretical research on right wing extremism in American politics reveals a lack of attention to the subject, an ideological bias, a confusion as to the history and nature of extremism in America, and a lack of clarity as to what constitutes extremism and how it should be defined or categorized. As a result, the efforts to understand militias have instead tended to delegitimize them and support the legitimacy of the State.

Weinberg believes that the study of right wing extremism in America has neglected because academics have focused on the liberal consensus which defines American political culture: “while Europe offered extremism, America provided a politics of consensus and moderation structured around the values of John Locke” (Weinberg 1997: 231). Academics have also focused on the reasons for the absence of a true left, or socialist movement as a result of this consensus. Further, the “absence of brutal conflicts between left and right” (Weinberg 1997: 231) led to the lack of study and understanding of right wing extremism in America: “those who emphasized American exceptionalism and the absence of a coherent socialist movement paid very little attention to the right side of the political spectrum” (Weinberg 1997: 232).

Also, studies of right wing extremism are predisposed to ideological bias. The studies done on right wing extremism tend to come for those on the left with an

agenda of discrediting the right or from those who have preconceptions because of their own ideological or institutional position. As a result there is a lack of understanding of what right wing extremism actually entails apart from its most threatening aspects: “there is a problem in defining right wing extremism, in part because much of the salient analysis has come not just from the left but from the part of the left that believed threats to freedom and security emanated exclusively from the political right (Braun 1997: 3). Although studies of right wing extremism in America have proliferated in the 1990s, most studies have not adopted a perspective which would allow militias to be interpreted as political actors. Rather, as George and Wilcox state, “there are many books covering ‘extremism’ or extremists’ on the market today, and not a few of them have their agenda, often to provide a rationale for persecuting or doing away with certain ‘extremists’” (George and Wilcox 1992: 9).

Secondly, academics delegitimize the grievances of militias by misrepresenting their grievances. They do this by associating the protest and grievances with the political and social reactions of right wing extremists. Most examinations of militias delegitimize the protest of the movement by explaining the political issues as backlash politics or as status or class grievances which relate to extremists. Also, the grievances of militias are delegitimized as the backlash of white males,¹⁸ although the heterogeneous membership of the movement includes minorities and women in both leadership and constituency. In terms of status politics, the militia movement is also seen as emulating paramilitary culture as testimony to American males trying to live the “Rambo Myth” (Kroninger 1995: 10), a backlash against the humiliation of the Vietnam War and “a salute to our culture of guns, violence and militarism...the military is a magnet for the Tim McVeighs in our society; it is a breeding ground for homegrown terrorists” (Kroninger 1995: 10). The perception created by this is that militias are ridiculed and stigmatized as ‘Vietnam Veterans’ with a pejorative connotation of ‘losers’ who cannot let go of the war. Further, the claims that militias are just ‘pretending to be soldiers’ obscures their political grievances.

¹⁸ In this way, the movement is defined as a “temper tantrum” (Berlet and Lyons 1995: 25) of white males. Daniel Junas calls militias “angry white guys with guns” (Junas 1995: 1). The movement is said to be dominated by white heterosexual males (Berlet and Lyons 1995: 25) who have “come together in this mixture of reaction to economic deprivation, reaffirmation of traditional values and privileges, and cultural backlash (Castells et al 1996: 37). If they are angry white guys, the logic is that their identity causes them to take their anger out on privileged minorities, justifying the view that they are therefore racist and anti-Semitic. Thus, militia men are believed to be angry “over the gains by oppressed groups within U.S. society” (Berlet and Lyons 1995: 25).

The grievances pertaining to Federal abuses are explored in the literature in relation to Waco and Ruby Ridge. However, the treatment of these grievances and what it indicates about the protest has been somewhat superficial. Most of the literature discusses these events more descriptively than analytically. When the anger towards these events has been discussed, the literature has seldom contained a critical analysis of the issues which relate to the civil liberties, to the illegitimate use of force, to religious freedom, or to the persecution of right wing extremists without a fair trial or through due process. George and Wilcox highlight the need to acknowledge the protest of militias in relation to these incidents within a civil rights context. They state that

What is most puzzling about both Ruby Ridge and Waco was that traditional civil liberties groups found little to complain about in either case. After all, Weaver was some kind of mad dog right winger and Koresh was a religious nut. Any rightist felt that had Randy Weaver been a Black Panther or David Koresh a feminist neo-pagan some libertarians might have shown more interest. It has been the populist right – the patriot movement, militias talk show hosts and libertarians on the internet that have kept the issue alive (George and Wilcox 1996: 253).

The judgment from academia has been that the formation of militias as a means of protest is not a legitimate response to these grievances. Bennett believes that groups manipulate and interpret confrontations such as Waco and Ruby Ridge to serve their own ends (Bennett 1995: 450). Others make the assumption that these right wing groups are angry over the confrontations because they identify with David Koresh and Randy Weaver on an ideological level, in that they share the same beliefs.

The literature merely seeks to demonstrate that militias are angry because of their right to keep and bear arms and the irrational fears of tyrannical authority, without framing the grievances as those that pertain to challenging the monopoly over the means of violence because of the abuse of force demonstrated at Waco and Ruby Ridge.

From the exploration of legitimacy as a process, the following can be hypothesized:

Militias are involved in a conflict of legitimacy, where they seek to delegitimize the government and legitimate themselves through the use of the political culture, and through specific tactics and strategies.

Conclusion

While protesters challenge the legitimacy of the State, the State also challenges the legitimacy of the protesters. Both are involved in a conflict through which they use the values of the political culture to demonstrate their own legitimacy, while delegitimizing the opponent. Both also employ various tactics and strategies. Protest movements and the State use the political culture to create legitimacy for themselves, and to demonstrate how the opponent has neglected the proper use and interpretation of these values. Movements react to the State by seeking to highlight the neglect of value expression while attempting to defend their own political position. The State reacts to the protest in a legal-centric manner which moves the responsibility of dealing with militias from politics to law enforcement.

In the process of legitimacy, the cycle of delegitimization causes the State to react to the emergence of protest, and challenges the protesters as illegitimate political actors, while reaffirming the legitimacy of the State. It is not just the State that delegitimizes the militia protesters. In this process the State has agencies of socialization and repression which support the ideology of the State and delegitimize the protesters. These agencies do so by sharing a perspective with the State and espousing the criteria for legitimate behaviour in a structure of domination and compliance. From the examination of the media, monitoring groups and academics in this chapter, these ideological state apparatuses delegitimize the protest behaviour of Militias in their own ways, often merely out of acceptance of the institutional perspective, rather than out of malice or deliberate intention.

What this conflict also shows is that there are tendencies to see opponents in terms of stereotypes. The State tends to distort and stereotype the nature and threat of the militia movement, and the militia tend to view government politicians, bureaucrats and law enforcement officials in distorted ways. What occurs is a cycle of legitimation and delegitimation, where both sides escalate the conflict based on these perceptions, and increase the probability for conflict. These perceptions and stereotypes of the opponent become entrenched. Government officials made it clear that they approached the issue personally instead of being able to analyze the issue from a more objective standpoint. Government hearings served to justify expanded

powers of the State, to rationalize the beliefs held regarding the militia movement and its connection to the Oklahoma City bombing. Further, the government hearings did not provide a forum for the militia movement to be treated as political actors with legitimate grievances. It was the government's turn to 'fight back'. As a result, the tone was negative and confrontational, and perceived as a war to be won. Rather than engaging in a political discussion or focusing on the political issues and grievances, militia members were labeled as deviants, criminals, and extremists, or even 'wackos'. This chapter also demonstrated the mindset involved in dealing with the militia movement based on its perceived nature. These perceptions and governmental behaviour motivated by these beliefs may serve to increase misunderstanding, to provoke militias and the possibility for violent confrontations, and the tendency to legislate based on these perceptions.

Due to the way the State treats the militia movement as a whole, based on the generalizations and assumptions about the movement, the State does not isolate any particular group in terms of a conflict. Rather, they attempt to marginalize all groups as part of a movement. Thus, for the purpose of understanding the militia movement, the process of legitimation will be confined to the analysis of the case study groups and how they interact with the State.

CHAPTER THREE

Case Study Analysis: Theoretical Framework

This chapter will analyze the Militia of Montana in relation to key theoretical premises and hypotheses. This will be done using the following theoretical framework which will also be applied to the Michigan Militia Corps in chapter four.

Hypothesis #1

Militias challenge the legitimacy of the State as Legal-Rational authority. This form of domination is challenged with Value-Rational social action as a form of non-compliance. This action corresponds to the criteria for legitimacy being Value-Rational legitimacy, based on the congruence of the value system of the political culture and governmental output.

There are two aspects to testing this hypothesis, which involve the use of the theory of Value-Rational legitimacy as discussed in chapter one. It was theorized that types of domination and compliance exist within a structure of social action. This type of authority is perceived by militias to be Legal-Rational authority. Testing this hypothesis from a theory of Value-Rational legitimacy involves two elements.

Legal-Rational Authority

Firstly, there is the evaluation of Legal-Rational authority. This type of domination described by Weber is characterized by legal and bureaucratic administration. In the structure of social action, Instrumental-Rational orientations correspond to this type of domination.

Secondly, there is the challenge to Legal-Rational authority using Value-Rational legitimacy. The theory of Value-Rational legitimacy is that it is an alternative legitimacy used to challenge Legal-Rational authority. The components of this hypothesis which demonstrate that Legal-Rational authority is challenged include the following elements:

Value-Rational social action - In a the structure of domination and compliance, Value-Rational social action is motivated behaviour that is non compliance against Legal-Rational domination. Disobedience in the form of Value-Rational social action is indicative of the incongruence between the values of society and governmental output.

Value-Rational legitimacy – Value-Rational legitimacy is a type of legitimacy based on the values of the political culture as demonstrated in governmental output. Legitimacy based on the criteria of values is evaluated in terms of governmental output and the perception that the government is preserving, maintaining and following the values of the American political culture in terms of beliefs, symbols and rules.

This type of legitimacy specifies that government must be believed to be following or upholding these values in order to have legitimacy. Legal-Rational authority, when evaluated against Value-Rational legitimacy, demonstrates that there is a neglect, distortion or lack of adherence to values that guarantee legitimacy and compliance.

Hypothesis #2

Militias are involved in a conflict of legitimacy, where they seek to delegitimize the government and legitimate themselves through the use of the political culture, and through specific tactics and strategies.

From chapter two, the theories of legitimation and delegitimation describe the process of legitimacy whereby the social movement and the State are engaged in a conflict.

The social movement legitimates itself by using the political culture and specific tactics and strategies to demonstrate that the government is seen as holding alternative values. Social or protest movements, and protest behaviour, have specific characteristics that relate to the conflict process of legitimation. Types of protest are chosen based on how the protest highlights grievances, draws attention to those grievances, is behaviour directed to cause change, and it challenges institutional channels. The rationale for the type of protest chosen is that it is the most effective way of legitimating the movement and delegitimizing authority.

CASE STUDY ANALYSIS

The Militia of Montana

Introduction

This chapter will analyze the Militia of Montana using the theoretical framework discussed above using a number of primary sources.¹ Firstly, the context in which militias have emerged and developed their identity will be examined. The context explains the background to the protest and formation of the group, the ideology in terms of the 'extremist' style of conspiracy thinking, as well as the general approach of the Militia of Montana to legitimacy.

Secondly, the way the Militia of Montana evaluate Legal-Rational authority as illegitimate will be examined. They perceive that the behaviour and motivations of those in government is an example of Instrumentally-Rational orientations, which corresponds to the type of domination they exercise – Legal-Rational authority. The Militia of Montana perceive that this domination creates illegitimate political relationships. Further, Legal-Rational authority is characterized by bureaucratic administration and the role of government as one of law and order, leading to the control and abuse of citizens. The method of control is seen as psychological and as behavioural control and manipulation, and the means of control as law and order. The context in which this Legal-Rational domination and control is interpreted by the Militia of Montana is one of Socialism. The government is seen as operating like a socialist police state to enforce internationalist policies and behaviour.

Thirdly, the Militia of Montana will be analyzed in terms of how the group challenges Legal-Rational authority with Value-Rational legitimacy. The Value-

¹ As stated in the Introduction of this thesis, John Trochmann, leader of the Militia of Montana, was interviewed for this study on 1 March 1998. Other primary sources include the Militia of Montana newsletter, *Taking Aim*, pamphlets and videos, were analyzed. These primary sources also contain interviews conducted by others. For example, the Militia of Montana sells a video tape of an interview conducted by Robert J. Howlett, Director of the Department of Police of the State of Illinois in 1997. In the *Taking Aim* newsletter, The Militia of Montana also share literature with other authors. Some of these sources are anonymous, but all of them are printed to represent the views of the Militia of Montana.

Rational social action advocated or displayed by the Militia of Montana demonstrate this type of social action as a form of non-compliance, which corresponds to Value-Rational legitimacy. The Militia of Montana point to the value system of beliefs, symbols and rules in order to demonstrate that Legal-Rational authority is not preserving or maintaining those values. In the process of doing so, they attempt to legitimate themselves and delegitimize authority. By using the political culture as the value system, the Militia of Montana demonstrate that not only is the government not adhering to those values, but that the government is seen as holding alternative values to those of the political culture, as expressed in behaviour and policies. In the process of challenging Legal-Rational legitimacy, the Militia of Montana believe they are legitimizing their protest and delegitimizing authority through the use of political culture.

Fourthly, the use of the 'militia' as a means of legitimation is examined. In this section, the Militia of Montana show that their protest involves a conflict, where the militias seek to delegitimize authority through various strategies and tactics. These strategies and tactics are similar in a number of ways, but they are also group-specific. What will be shown is that these similarities and differences reveal the nature of the movement as represented by these two case studies.

Context

The Militia of Montana was formed in January 1994 by John Trochmann, John's brother David Trochmann, and David's son Randy in response to the incidents at Ruby Ridge, Waco, and gun control legislation including the Brady Bill. The Militia of Montana have been considered one of the most prominent militia groups in the country, if not the leader of the militia movement. John Trochmann believes that the Militia of Montana is a "guide post for newly founded patriot groups" (*Taking Aim*, Volume 2, Issue 3, 1995: 3). M.O.M., as it is referred to in the newsletters, has been labeled everything from the "the Mother of all Militias" (Cooper 1995: 714) to one of the most radical or "extreme" (*ADL Special Report*: 4) militia groups in the movement. This status as a leader of the militia movement has been based on the belief that the M.O.M. "serves as [an] organizational model nationwide" (Cooper 1995: 714). It is also one of the most active, and as a result, it is believed that "many

if not a majority of the country's militias owe their existence in part to the zealously aggressive proselytizing and organizing campaign carried out by the Militia of Montana since the spring of 1994" (Cooper 1995: 714). John Trochmann has been labeled the 'grandfather' or 'guru' of the movement (Voll 1995: 46).²

The formation of the Militia of Montana was the product of a number of long-standing grievances as well as thoughtful engineering as to the most effective method of protest. John Trochmann had been protesting against government for some time before the formation of the M.O.M. In one interview, John said that he had "been involved actively in trying to educate our fellow Americans to what is happening around us for 20 some years, under various names" such as the "Wilderness Brothers" or "Wildhood brothers" (Trochmann 1997). In 1984, John Trochmann's protest behaviour included rescinding his contracts with the federal government. At this time, he stopped paying taxes and stopped using a social security number (Trochmann Interview 1998).

The 1990s provided a new focus and led to the formation of the Militia of Montana. In 1992, John Trochmann formed the United Citizens for Justice "to do research to try to support the Randy Weaver family" in their court battle (Trochmann Interview 1998). The name of this group was to be "a rallying cry for what happened to the Weaver family in Northern Idaho" (Trochmann 1997). When Waco occurred, both of these incidents came to define abusive behaviour of federal agencies: "when government plans and authorizes the assassination of 87 Americans in their home and church, or directs a sniper to kill a mother while holding her infant in her arms...constituents are upset" (*Taking Aim*, 2, 3, 1995: 4). Likewise, the passage of legislation, including crime bills and the Brady Bill demonstrated the removal of the rights of citizens: "Sarah Brady is not for the rights of Americans, she is a socialist through and through" (*MOM Training and Networking Manual*: 5).

The emergence and nature of the Militia of Montana is symptomatic of fragmentation and the type of 'extremist' thinking which relates to conflict over values. The examination of the type of themes the MOM use provides the context in which this group understands, evaluates and challenges the State. From the Introduction, right wing extremism was defined by several characteristics and a style of thought characterized by conspiracy theories and right wing radicalism. The themes

² The Militia of Montana will be referred to as a collective organization. The views of John Trochmann as the leader of the group will be representative of the Militia of Montana.

and styles of thinking establish the context for understanding their nature as right wing extremists.

The Militia of Montana can be defined in terms of their conspiratorial style of thinking and use of radical right ideology. They point to the New World Order and One World government which explains their fears and perceived threats of the manipulation of the many by the few, who are identified as the 'globalists'. These globalists, and their organizations, such as the United Nations, all personify evil. Further, there is doomsday thinking involved in this conspiracy, or the mentality of a 'crisis', a 'slippery slope', and the need for preparedness and survivalism to stop the move towards the New World Order. This conspiracy can be summarized as "a stealthy plot to enter America into a one world government with our military forces acting as law enforcers of UN edicts" (*Taking Aim*, 2, 12, 1996: 2). This 'planned destruction' of America is understood in terms of One World Government: "there is a clear and deliberate plan to strip the sovereignty of the United States and place it under a World Government that is pure socialism. Unless Americans rise up in righteous indignation this will come to pass" (*Taking Aim*, 1, 9, 1994: 12). This conspiracy explains the excessive fears of centralized authority and bureaucracy that represent the loss of American national identity, sovereignty, and individual rights.

The Militia of Montana also exhibit various other traits of extremism, including anti-Communist and populist beliefs. Opponents are characterized as communists and socialists, and socialism is equated with liberalism. The MOM claim to speak on behalf of 'the people'. The themes and traits of extremism that the MOM exhibit include the belief that there is a distrust of democracy, based on the rejection of democracy in favour of a return to the way government was in the past – a Republic. There is also a perceived failure of foreign policy, which is exemplified by several things. This includes the move towards internationalism, the signing of treaties and the involvement in international organizations such as the UN, government actions such as giving foreign aid instead of taking care of Americans. This is perceived by the Militia of Montana as a policy of interventionism exhibited by the belief that America is trying to be the 'policeman' of the world, rather than being isolationist.

The Militia of Montana are also believed to be extremist in terms of having racist ties and beliefs. Investigations into John Trochmann's background reveal that prior to militia political activity, he had spoken at an Aryan Nations Congress at Hayden Lake, Idaho in 1990; which caused the MOM to be branded as a white

supremacy group. However, the MOM literature is void of racist or anti-Semitic content, and explicitly state to reject such views, and violent behaviour is prohibited. This does not mean that John Trochmann may not be racist, but the group should not be characterized as extremist in these terms because the objectives and the nature of this group have not revealed racism or anti-Semitism by John Trochmann or the MOM literature. Several themes and 'extremist' styles of thinking can explain the nature of the MOM and how they evaluate legitimacy.

The Militia of Montana fear threats to American values which need to be respected, maintained and preserved by government. The understanding of legitimacy by the MOM is an example of governmental output which is incongruent with values. As they say, "what we are concerned with is some of the policies and methods used by government and law enforcement" (*Taking Aim*, 2, 2, 1995: 5). Government behaviour and policies are thus perceived as the loss of rightful authority, or righteous and legitimate government: "the Militia of Montana is not against righteous, legitimate government. The Militia of Montana is against an immoral, illegitimate bastardized form of government" (*Taking Aim*, 1, 8, 1994: 3). The MOM define rightful authority as legitimate authority, and the government is challenged as illegitimate because it has lost its rightful authority.

Evaluating Legal-Rational Authority as Illegitimate

The Militia of Montana evaluate governmental legitimacy based on policies and behaviour, and how they are congruent with the values of Americans. The source of the problem is the "flagrant injustices" by "out of control, oppressive public servants" (*Taking Aim*, 2, 3, 1995: 4) who have violated their contract with the people. The idea of a contract is discussed in terms of the oaths and responsibilities of public officials to adhere to the Constitution, the Declaration of Independence and the Bill of Rights. The objective of the protest, or the mandate of the Militia of Montana, is to return the government to constitutional rule and the preservation of the values it contains: "our singular mandate, which is public and overt, is the preservation of the Constitution of the United States (a Republic), as it was founded and the sovereignty of this great nation" (*Taking Aim*, 2, 3, 1995: 4). The Militia of Montana emphasize that this mandate is one that also aims at the behaviour of public officials and method to restore legitimacy. To this end, they claim to have "one singular mandate which is public and

overt: THE RETURN TO THE CONSITUTION OF THE UNITED STATES AND TO YOUR OATH TO DEFEND THAT CONSTITUTION” (*Taking Aim*, 2, 4, 1995: 2).

When the Militia of Montana discuss legitimacy, they understand it in two conventional senses: as a “legal right to govern” and as a “psychological right to govern” (*Taking Aim*, 2, 10, 1996: 6). The psychological aspect represents people’s belief that authority is rightful: “legitimacy now refers to an attitude in people’s minds that the government’s rule is rightful” (*Taking Aim*, 2, 10, 1996: 6).³ Authority is thus seen to involve two elements: what is legal and what is rightful. Rightful authority is moral authority – an authority that expresses values. Legal authority is the right to command obedience to laws. Legitimacy is understood as being based on what is rightful, not as what is legal, because laws should not be obeyed when authority is not rightful. As MOM say, “trouble begins for any government when that feeling of legitimacy erodes. People feel less obliged to pay their taxes and obey the law. Disobeying the law is no longer considered dirty or dishonest because the government itself is perceived as dirty and dishonest” (*Taking Aim*, 2, 10, 1996: 6). It is in this sense that the MOM come to evaluate Legal-Rational authority as illegitimate.

Instrumental-Rationality and Relationships of Power

The Militia of Montana characterize the people in authority as politicians and bureaucrats who are not guided by values, but by money and self interest, and who acquire and exercise power for their own ends. These politicians and bureaucrats are identified as “elitists, banksters and federal scum” (*Taking Aim*, 1996, 2, 12: 8). The structure of domination and compliance, explained through conspiracy theories, is about power without rightful authority. The orientations of politicians and bureaucrats correspond to the type of domination exercised. Thus, the way the MOM discuss bureaucrats and politicians is an example of public officials who are instrumentally motivated in a Legal-Rational structure of domination and compliance rather than Value-Rationally motivated because the end they seek is power, not authority, and the means towards this end reflects self-interest. In this way, government consists of faceless federal bureaucrats, the politicians who place themselves above the masses or

³ ‘Rightful’ authority is synonymous with ‘righteous’ or ‘moral’ authority. It is rule that is rightful, or moral, as described here by the Militia of Montana.

who are in it for the money, not the people. Rightful authority is about “Statesmen”, (Trochmann Interview 1998) not politicians or bureaucrats. John Trochmann believes that politicians practice politics, and “politics is a dirty word in my vocabulary” (Trochmann Interview 1998). He further states that “We used to have people called Statesmen – they were about the next generation, not the next election. I think we’ve got the wrong kind of people running for these positions in America today...the form of government we have is designed only for righteous people” (Trochmann Interview 1998). Statesmen are men[sic] of values - integrity, justice and truth, but “offices today are filled with politicians, not statesmen” (*Taking Aim*, 2, 11, 1995: 2). Statesmen are oriented by these values, and not by what is instrumental. The Militia of Montana believe that these motivations have created a political system and structure of domination and compliance that mirrors the social actions of these officials.

The structure of domination and compliance is an illegitimate relationship of power that the Militia of Montana challenge. The Militia of Montana describe this relationship in ways that demonstrate instrumental motivations of politicians and bureaucrats. The Militia of Montana perceive this relationship as illegitimate in the following ways. Firstly, there is the relationship of the slave and master, or the servant and master, where the people are enslaved and controlled, and the government has become “masters over its ‘masters’” (*Taking Aim*, 1, 7, 1994: 2). Rightful authority is where the people have power over that authority – the relationship is one of the people being the masters - and the government being the servant. As one Militia of Montana article states, the government is “out of control, a government which has lost the understanding that it is the servant of the people and the guarantor of their liberties, not their master and oppressor” (*Taking Aim*, 1, 6, 1994: 4). John Trochmann says “after all it is government by the people, they are called public servants so that must mean they work for us” (Trochmann Interview 1998). According to the MOM, Americans are on the road to ‘slavery’ (*Taking Aim*, 1, 5, 1994: 17). To these ‘masters,’ Americans are a means to their illegitimate ends because of the instrumental motivations of those in authority: “you are as much their property and their pawn as if you were a slave” (*Taking Aim*, 4, 9, 1997: 6).

A second way of describing this illegitimate power relationship is in terms of the ‘employer’ and ‘employee,’ as in business. In this way, they equate authority to employees of the people, who illegitimately act like bosses and managers:

We must always remember that what we are fighting is a multi trillion dollar per year business. We are the stockholders of this business called our government(s), the public servants make up the management. The management now believes that they own the business. It is up to us to make them realize that they do NOT own our business and that they had better change their ways (*MOM Network and Training Manual: 17*).

Due to the belief that the motivations of those in government are instrumental, John Trochmann claims that these officials exercise power to change the ‘job description’:

I don’t know how others look at it, how I look at it is the United States Constitution is a job description for federal public servants, and the Bill of Rights...this is what you must do to maintain your job, beyond this you cannot go. It seems to me like many of them in high office, the first thing they want to do is change that job description. Now if you started working for somebody and you changed your job description you would probably be walking on the street (Trochmann Interview 1998).

The political system is equated to a business, and the people in this business are motivated by greed and self interest. As John Trochmann states,

It would probably be best putting it in terms of a business - America to the global grabbers is a multi trillion dollar business. Let’s say it is like a liquor store or pub. You have an owner, a manager and a bouncer, and we have that in America today with the system we have. The owners are those behind the scenes that we never see or hear about...we have the managers which are the politicians which are for sale...and the bouncer, which is presently called the peacekeeping force – since we have the law enforcement and military merging together today to accomplish the same task (Trochmann Interview 1998).

The interests of those involved in government are also controlled by money because of a business mentality. John Trochmann has claimed, “the system that we suffer from in America...is based on a green god...and it seems like that is the incentive for Americans to do what most of them do. I think it is the wrong incentive” (Trochmann Interview 1998).

The political system is seen as operating according to these motivations, and establishing these relationships with government, which are deemed to be illegitimate. The Instrumentally-Rational motivations of politicians and bureaucrats reflects the way power and domination is exercised and the way compliance is achieved through control of American citizens. The structure of domination that mirrors this exercise of

power is a Legal-Rational structure, indicated by the bureaucratic administration that functions in terms of law and order.

Legal-Rational Domination and Control

The structure of Legal-Rationality is represented by bureaucratic administration and by a “legislative revolution” (*Taking Aim*, 4, 9, 1997: 7) of the government, which explains the nature of government in terms of law and order, and control. In fact, the political system is identified by the Militia of Montana as an amalgamation of legal and governmental power, or a “government-legal-police system out of control” (*Taking Aim*, 2, 12, 1996: 3). When authority is not ‘rightful,’ legal authority is seen to involve the exercise of power and to demand and secure obedience even though authority is no longer legitimate. Law and bureaucratic administration are the instruments of control and illegitimate domination when rightful authority does not accompany legal authority. The following analysis of the Militia of Montana demonstrate that illegitimate authority is perceived in Legal-Rational terms: the exercise of power rather than rightful authority.

The Militia of Montana view the political system as illegitimate domination and obedience through psychological and behavioural control and manipulation. This control is explained as devoid of American values. The Militia of Montana indicate that the fact that Americans need to be controlled is a testimony to illegitimate domination and is the basis for protest and rebellion. This control is explained in several ways.

Firstly, the method of control is psychological and behavioural. Supporting their view by using Noam Chomsky’s *Necessary Illusions*, the Militia of Montana believe that consent has been manufactured, and people are controlled and made to be obedient: “the government...is in the business of PEOPLE CONTROL. Period. It does not care for the individual citizens welfare” (*Taking Aim*, 1, 5, 1994: 23). According to the Militia of Montana, the democratic political system works as Noam Chomsky wrote, “the general public must be reduced to its traditional apathy and obedience, and driven away from the arena of political debate and action, if democracy is to survive” (*Taking Aim*, 2, 6, 1995: 8). They also think that the modus operandi of those in power is deception. The engineering of consent discussed by Edward Bernays is used by MOM to explain that “a leader frequently cannot wait for the people to arrive at even a general

understanding...Democratic leaders must play their part in ...engineering...consent to socially constructive goals and values, applying scientific principles and tried practices to the task of getting people to support ideas and programs” (*Taking Aim*, 2, 6, 1995: 8).

For Legal-Rational authority, the means of psychological and behavioural control is through legislation and other governmental policies and programmes. The law is viewed as an instrument of this power to serve the interests of those in government. Programmes to achieve psychological control are described by a theory of ‘psychopolitics’ or brainwashing. The ideology of government which creates submission is achieved through psychopolitical operations: “to put it simply, America at this time is being taken over by a Quasi-Politically Motivated Military Coup by socialist guided One Worlders through the use of psychopolitical operations targeted against people” (*Taking Aim*, 2, 9, 1995: 7).

The Militia of Montana dedicate a considerable portion of their newsletters to printing excerpts from *Brainwashing, A Synthesis of a Russian Textbook on Psychopolitics*, by Kenneth Goff. Psychopolitics is the ‘art of Russian mind control.’ As the MOM explain it, this method of domination is achieved through brainwashing: “psychopolitics is the art and science of asserting and maintaining domination over the thoughts and loyalties of individuals, officers, bureaus and the masses...” (*Taking Aim*, 2, 6, 1995: 14). Further, “in psychopolitical procedures there is no ethical problem, since it is obvious and evident that Man is always coerced against his will to the greater good of the State, whether by economic gains or indoctrination into the wishes and desires of the State” (*Taking Aim*, 2, 6, 1995: 14). The MOM believe that “this textbook spells out the methods communists use to alter the loyalties of American citizens then use those citizens to take control of the nation...Communism is NOT DEAD (*Taking Aim*, 2, 6, 1995: 11). The objective of the Militia of Montana in printing excerpts from the book on psychopolitics is that “we pray that after reading this ‘textbook’ you will be able to neutralize this aspect of mind control being waged against you and then in turn pass it onto others” (*Taking Aim*, 2, 6, 1995: 11).

Secondly, in addition to psychological control, the MOM believe Americans are being controlled behaviourally through legislation. The behaviour and policies of the government reflect a ‘big brother’ mentality and illegitimate control of citizens through various means: “The simple fact is that, regardless of what reasons legislators may claim, the US congress has passed more Big Brother legislation in the last two

years, more laws to enable tracking, spying and controlling than any Democratic congress ever passed” (*Taking Aim*, 4, 9, 1997: 5). Such methods of behavioural control include surveillance and monitoring policies, as well as modes of physical identification which serve to control the individual.

The Militia of Montana say the best example of this control is a type of national identification card: “one of the steps of the worlders for complete domination is, in fact numbering and monitoring all of their ‘subjects’. It is in our opinion that before ‘they pull the plug’ is the ID system. Put simply, you will not be able to do anything without using your ‘ID card’” (*Taking Aim*, 2, 12, 1995: 1). This type of card exemplifies means of control through electronically stored identification which will become a tool of illegitimate domination: “without the card you won’t be able to own property, receive government benefits, get medical attention, conduct bank or credit card transaction” (*Taking Aim*, 2, 12, 1995: 6).

The current means of identification, such as social security numbers, are already used illegitimately for these purposes. According to the Militia of Montana, “otherwise benign agencies are turning this number into a universal identifier, regardless of our wishes or the law” (*Taking Aim*, 2, 12, 1995: 6). They also print headlines from articles about computer chips in name badges to track the movement of employees, tattooed pets, camera surveillance in toilets and school buses (*Taking Aim*, 2, 12, 1995: 2) as well as ‘evidence’ that ‘psychosurgery’ is being performed: “The law enforcement assistance administration funded experimentation on what is called psychosurgery, again for the purpose of changing or controlling behavior and or emotions” (*Taking Aim*, 1, 3, 1994: 7) by removing areas of the brain. All of these cases are taken as evidence of precursors to a fear of slippery slope legislation that will control all Americans.

Another alleged method of control is through the environment: including the weather, the land, food and other natural resources, which further government objectives of power, and people control, by government. The control of land is particularly salient to John Trochmann and the Militia of Montana. As he states,

Here in Montana, especially in our area, it is a very sore point. It is less than 11% private land here. If you look around the hills here, you see big chunks missing in the hills where they raped the whole hillside...I don’t believe in that...why do that? Because they want to put their own special breed of tree up there for their own raping of the land some more down the road somewhere? No. Lets stop doing that (*Militias in America*, 1995).

The control of food and farming is also seen as a means of people control. In one of his lectures on video, Trochmann shows an article from the Readers Digest in 1982 entitled “Food: America’s Secret Weapon” (*America’s Judgements: What Lies Ahead?*). Food is seen as powerful tool because “in a world where food is becoming as valuable as energy, the awesome abundance of America’s farms are finally being seen in its true light – as a source of power, a means of profit, a weapon for peace” (*America’s Judgements: What Lies Ahead?*). John Trochmann believes that “since the early 1980’s the American farm is all but extinct...due to foreclosures or whatever means possible to form this corporate America we suffer from today” (*America’s Judgements: What Lies Ahead?*). Thus, the food shortage and farming problems in America are explained as a conspiracy to control the food supply. To control people, the Militia of Montana believe that the control of food is a new type of weapon, and “instead of using an H-bomb, [the globalists] will starve you out” (*Taking Aim*, 2, 9, 1995: 2).

Another conspiratorial view of control is one of weather control and manipulation, which also appears to be particularly salient for John Trochmann,⁴ who often speaks about “electromagnetic weather manipulation” programmes (*Taking Aim*, 2, 6, 1995: 23). One such theory is of the “GWEN”, or “Ground Wave Emergency Network towers” (*Taking Aim*, 2, 7, 1995: 8) which he says “are popping up across America” (*Taking Aim*, 2, 7, 1995: 8). Also, he says that “this network’s bigger brother, the High Frequency Active Auroral Research Project are controlling the weather and other natural processes through electromagnetic means...the ‘controllers’ can use this technology to control the behaviour and attitude of the masses whenever they choose” (*Taking Aim*, 2, 7, 1995: 8). The weather related problems that America has been experiencing are said to point to another programme of weather control, and “this environmental destruction was deliberately created by the Tesla magnifying weather war transmitters” (*Taking Aim*, 2, 5, 1995: 5). Further, the MOM believe that the information regarding the weather is being controlled so that “if the public no longer has access to weather related information then the Socialists will be able to escalate their electromagnetic weather manipulation program to a grand scale without having the fear of exposure” (*Taking Aim*, 2, 6, 1995: 23).

The fears of control and of the sinister motivations of those in power are based on the perception that there are so many laws and regulations, and hidden laws with hidden provisions: “the truth is that these tiny, buried provisions are often the real intent of the law, and that the hundreds perhaps thousands of pages that surround them are sometimes nothing more than elaborate window dressing” (*Taking Aim*, 4, 9, 1997: 5). The conspiracy thinking of the MOM is based on the fear of law being used as a tool. The explanation is that these laws are the products of an illegitimate authority characterized by using laws as a means to an illegitimate end. This type of authority is contrary to American values and Value-Rationality. Thus, the context in which this control is explained is Socialist, Communist, and/or Russian – all that is contrary to what is ‘American’. This form of psychological and behavioural control is not only void of American values, but the domination is identified as inherently un-American, or anti-American because this domination is out to destroy American values.

Legal-Rational Authority and Socialism:

The political system, and the nature and character of domination and control, is identified by the Militia of Montana as Socialist, Communist and Russian. This explains the conspiracy beliefs regarding the internationalist nature of domination and behavioural control by external enemies which poses a threat to American values. However, the conspiracy of socialist control serves as an explanation for the Militia of Montana’s fears of the nature of government. The identification of authority as socialist in nature and character explains the opposition to a centralized, distant and oppressive authority that is inimical to American values because socialism is identified with a tyrannical police state. Thus, the result is that the MOM believe that the intentions of those in government must be to serve their own ends and control citizens through laws and regulations - the governmental output which is incongruent with American values.

The Socialist State is equated with legal centrism, and its legitimacy is thought to be derived from psychological and behavioural control through laws. According to the Militia of Montana, the way the socialist state achieves control is by declaring

⁴ Trochmann also provides a personal testimony to knowing weather control exists because as part of the Naval Air Force, he says he was “part of the weather modification programme out of Washington D.C. in the ‘60s so I know its real” (*America’s Judgments: What Lies Ahead?*).

everything as a crime. The function of the Socialist State, according to the group, is law and order, using crime as a justification for control through law enforcement. The fear of this type of “police state” (*Taking Aim*, 3, 2, 1996: 1) is the epitome of Legal-Rationality void of any value content – it is as far from American principles and values as they can imagine. Like other socialist nations, America has become “Socialist in nature where the citizen serves the government instead of the government serving the citizen. A nation of crime and laws is a nation of slaves. A nation of citizen involvement is a nation without crime and a free people” (*Taking Aim*, 1, 2, 1996: 3).

The Militia of Montana fear and feel threatened by international laws and regulations and behavioural control. The globalization and interdependence of the modern world are seen as requiring conformity and regulated behaviour through international legislation and law enforcement, which is binding on the nation. Internationalizing behaviour eliminates those values that define legitimate social action for citizens, who give obedience on this basis. The perception is that with globalization, there is behavioural control through a “global code of ethics,” (*Taking Aim*, 2, 8, 1995: 5) and a Communist, Socialist form of control. From militia understanding, obedience will no longer be expected by rightful authority, but demanded through laws and regulations by illegitimate authority: “anything contrary to the globally accepted code of conduct and behaviour will be labeled as a crime” (*Taking Aim*, 2, 8, 1995: 6). One Militia of Montana newsletter quotes a scholar who states that “the shrinking interdependent world is accepting greater standardization and regulation of behaviour...at the same time, there is more virulent and desperate resistance from groups wishing to reject homogenization and return to the supremacy of local cultures,” (*Taking Aim*, 2, 8, 1995: 5) to which the Militia of Montana respond that “they are absolutely correct. We will never yield to a communist socialist concept of behaviour. We will resist to the last man and last breath for the return of America’s sovereignty and greatness – we will not yield!” (*Taking Aim*, 1995, 2, 8: 5). The issue is one of values for the MOM: “when will these globalists learn that each culture has its own form and view of conduct and behaviour, meaning differences in values and morality” (*Taking Aim*, 2, 8, 1995: 5). It is the perception of the loss of values in the modern world and the domination of laws: “civilization now requires laws...as instruments to regulate commerce between peoples...The intricate

conditions of modern life have...made laws essential and inevitable" (*Taking Aim*, 1, 10, 1994: 3).

The Militia of Montana believe that power and control is exercised through law enforcement, and the perception is that there is a need for crime to justify the functions of law and order with this kind of authority: "one of the most effective tools for them is crime. The more crime there is the more laws they can pass, the faster America will fall into a complete police state" (*Taking Aim*, 3, 2, 1996: 1). Crime is understood as a tool to enforce laws: "they use crime to justify their actions. Those law abiding citizens who speak out are shamed into accepting laws" (*Taking Aim*, 3, 2, 1996: 1). The labeling of behaviour as crime is a form of social control that legitimates police actions against citizens. The government is seen as creating disorder and chaos in order to create legislation. They point to President Bush who said "out of chaos shall come the New World Order" (*Taking Aim*, 3, 2, 1996: 15). In this way the MOM believe that the L.A. Riots, Waco, and the Oklahoma City bombing were ploys to usher in the New World Order (*Executive Orders for the New World Order*). Crime also justifies increasing domestic law enforcement powers that infringe the rights of Americans. The Militia of Montana are extremely concerned with the way power is exercised by law enforcement ranging from the ability to intercept e-mail and telephone signals, to the equipping of "high tech cops" (*Taking Aim*, 2, 12, 1995: 1) who "could soon be packing electronic wave imagers that detect guns concealed under clothing" (*Taking Aim*, 2, 12, 1995: 1) used to enforce gun control. To the MOM, this is the character of law enforcement in modern society, which is now part of an interdependent or global police force.

International and domestic law enforcement is seen as the tool of the United Nations to enforce obedience by standardizing socialist behaviour and making it law, according to the MOM. The 'globalists' are perceived to legislate "international standards of conduct", which require that "international inspection and enforcement must follow" (*Taking Aim*, 2, 8, 1995: 6). The United Nations is considered to be the enforcement arm of world government, and forced obedience is the result of the exercise of power by the United Nations. The MOM report the need for United Nations "regional security apparatuses" (*Taking Aim*, 2, 8, 1995: 6) which would be in every country and would be "legitimately authorized to enforce broadly – if not globally, accepted laws and standards" (*Taking Aim*, Volume 2, 8, 1995: 6). The belief is that "These one worlders desire laws and regulations that are binding on all

nations, which means it would require a supreme lawmaker, to pass and enforce legislation for the entire globe (*Taking Aim*, 1995, 2, 7: 12).

The militarization of domestic law enforcement is seen as evidence of United Nations control, as well as the conversion of the American military into global law enforcement, or 'global police'. The theory is that the "conversion of the military into law enforcement bodies which will enforce international behaviour and codes of conduct which the U.N has described and made international law" (*Taking Aim*, 2, 12, 1996: 10) will be used against Americans. To this end, the federal law enforcement agencies are seen as the instruments of the United Nations in the exercise of this control to enforce obedience.

Thus, the political system and the nature and character of authority is one of illegitimate domination and forced obedience through psychological and behavioural control and manipulation, according to the MOM. Without resistance, the Militia of Montana believe all Americans will be controlled through international standards of behaviour, which are enforced through international law. The methods of control are thus psychological and behavioural, and the means of control is legislation and law enforcement. The context in which the MOM evaluate Legal-Rational authority is explained in terms of the nature and character of illegitimate authority operating as a socialist-type police state. The Militia of Montana convey that their concern for values has allowed them to become 'awake' and to see the true agenda and nature of government. They are motivated by Value-Rationality that defines the basis of their non-compliance in this structure of Legal-Rational domination. The next section will examine this non-compliance and the challenge to Legal-Rational authority through Value-Rationality.

Challenging Legal-Rational Authority

The challenge to Legal-Rational authority by the Militia of Montana is one where Value-Rational social action is a form of non-compliance and protest to Legal-Rational domination. This type of social action elevates duty and responsibility to challenge illegitimate authority above the costs such behaviour may incur for the Militia of Montana. This social action corresponds to the criteria for legitimate authority as Value-Rational. The criterion is the American value system articulated in governmental behaviour and policies.

Value-Rational social action

The oriented social action or motivated behaviour of the Militia of Montana is non-compliance when domination is perceived to be Legal-Rational. The Militia of Montana has established that the Legal-Rational character of authority justifies their non-compliance. The basis of this protest then becomes Value-Rational to challenge the instrumental motivations of authority and the corresponding Legal-Rational structure of domination and compliance.

The Value-Rationality of the Militia of Montana is based on the values of 'duty' and 'responsibility' in order to challenge illegitimate government, regardless of the costs of that social action. Behaviour that expresses a 'duty' and 'responsibility' is motivated by that behaviour as an end in itself. The Militia of Montana state this duty is part of being an American: "As Americans, we cannot but believe that our political creed goes down in this foundations to the solid rock of truth... Thus, the duty rests today, more heavily than ever upon each American citizen to make good to the world those principles upon which the government was built" (*MOM Information and Networking Manual*: 10). The emphasis is on the ideological commitment – the commitment to a creed that emulates the values that the political system is founded upon. To this end, the Militia of Montana even has its own Declaration which imitates the Declaration of Independence:

We the able bodied citizens of Montana...it is the duty of man to put on the cloak of liberty for the sake of protecting mankind from government that is out of control and that has transformed itself into a tyrant. Just as our founding fathers of this country shook off their shackles of bondage, so must we (*MOM Information and Networking Manual*: 7).

Also, the Value-Rational social action of militias emulates 'responsibility,' as an aspect of Value-Rationality. The Militia of Montana continually emphasize this as the basis of their identity: "This is responsibility – this is the way of the militia" (*MOM Information and Networking Manual*: 11). In this way, the Militia of Montana demonstrate Value-Rational motivations and social action by seeking to protest illegitimate government regardless of the costs. They are committed to a Value-Rational course of action, and as such, they do not calculate costs and benefits, but consider the behaviour as an end in itself. In one article of *Taking Aim*, one writer

said that “True men with integrity, who loved truth and justice would make things right, no matter what the cost” (*Taking Aim*, 2, 11, 1995: 1), to which Trochmann added “sounds like today’s patriots” (*Taking Aim*, 2, 11, 1995: 1). John Trochmann also comments on his own motivations which are examples of Value-Rationality:

In the course of my job I’ve been locked up for a while, I’ve had 12 gages [shotguns] put at the base of my skull, and told me if I moved I would have my ‘f-ing’ head blown off. I’ve had boots stuck in my back and turned, had my hand cuffed behind me real tight and then picked up by my hands. Boy, if you want to feel your shoulders pop, that’s the way to do it. But we have always managed to come out of it a hell of a lot better than what we went into it, and things always seem to have to be moved by pain, and I am still not tired of putting up with the pain because I care about my country. It just makes us that much stronger. Whatever it takes we will do (Trochmann Interview 1998).

The personal costs of this course of action entail imprisonment, pain, and suffering, but because of a duty, or love of country, John Trochmann seeks to demonstrate his commitment to a Value-Rational course of action. Quoting Noam Chomsky, the Militia of Montana say that “dissidence carries personal costs that may be severe, even in a society that lacks such means as death squads, psychiatric prisons, or extermination camps” (*Taking Aim*, 2, 6, 1995: 8). The costs are that much greater because, as the Militia of Montana believe, the conspiracy is that American society does have death squads, psychiatric prisons and extermination camps that will be used against patriots who challenge authority. To challenge these controllers is costly: “They’re intent for absolute control if you do not obey their conduct of behaviour. If you do not, you will starve and/or they kill off your people” (*Taking Aim*, 2, 8, 1995: 7). Death is the ultimate sacrifice the Militia of Montana appear to be willing to pay in order to restore their values “Give me liberty (a constitutional republic) or give me death (World Socialism)”⁵ (*Taking Aim*, 2, 10, 1996: 7).

The Value-Rational motivations of the Militia of Montana are related to their extra-institutional protest against Legal-Rational domination. They believe patriots are deemed ‘outlaws’ because of a Legal-Rational authority. The Militia of Montana quote another ‘patriot’, Claire Wolfe, who wrote “101 things to do until the Revolution”, to demonstrate this position:

⁵ Patrick Henry said “Give me liberty or give me death,” March 23, 1775 in a speech before the Virginia House of Burgesses (Shafritz 1992: 335).

Whatever we do though, we must remember that we are all, already, outlaws. Not one of us can be certain going through a single day without violating some law or regulation we've never even heard of. We are all guilty in the eyes of today's law...politicians are above the law. You are under it. When you look at it that way, we have little left to lose by breaking laws creatively and purposefully. Yes, some of us will suffer horrible consequences...and whatever courses of action we choose, we must remember that this legislative revolution against We the People will not be stopped by politeness. It will not be stopped by requests. It will not be stopped by working within a system governed by those who regard us as nothing but cattle (*Taking Aim*, 4, 9, 1997: 7).

Authority is presented as having turned on the people through a Legal-Rational war, or a 'legislative revolution'. It is authority that defines them as 'outlaws' leaving them without Legal-Rational legitimacy and leading to the emphasis of patriots like the Militia of Montana on motivations which rationalize disobedience in Value-Rational terms:

It is time to drop any pretense: we are no longer law abiding citizens. We have lost our law abiding status. There are simply too many laws to abide. And because of increasing draconian penalties and electronic tracking mechanisms, our lawbreaking places us and our families in greater jeopardy everyday (*Taking Aim*, 4, 9, 1997: 6).

Although 'lawbreaking' is not advocated by the Militia of Montana, the point appears to be that they are embracing their non-Legal-Rational status as 'outlaws'. Because of this, they see themselves as outside the Legal-Rational system and define themselves in Value-Rational terms. It is rather their duty and obligation to break free of the control of this type of system and protest in a Value-Rational way. Given this structure of domination and compliance, disobedience is Value-Rational social action. John Trochmann uses a poem to describe his philosophy of this type of protest, and he uses it in every lecture and in several newsletters:

*Captain, what do you think, I asked, of the part your
soldiers play?*

*The Captain answered, I do not think, I do not think,
I obey!*

*Do you think you should shoot a patriot down and help a
tyrant slay?*

*The Captain answered, I do not think, I do not think,
I obey!*

Do you think your conscience was meant to die and your brains to rot away?

The Captain answered, I do not think, I do not think, I obey!

Then if this is your soldiers code, I cried, you're a mean unmanly crew, and for all of your feathers and guild and braid, I'm more of a man than you. For whatever my lot on earth may be and whether I swim or sink, I can say with pride – I do not obey I do not obey, I think"

Author Unknown.

(MOM Information and Networking Manual: 6).

This poem demonstrates the reliance on 'conscience' and disobedience to orders that do not emulate Value-Rational action. These Value-Rational motivations and the oriented social actions in forming a Value-Rational organization like the MOM are mirrored in the criteria for legitimacy. Just as the militia emphasizes obligations, oaths and the commitment to values, authority is held to these same criteria for legitimacy. The next section explores the criteria for legitimacy as Value-Rational.

Value-Rational Legitimacy

The criteria for rightful authority, or Value-Rational legitimacy, is the preservation and maintenance of the value system of beliefs, symbols and rules through governmental behaviour and policies. The challenge to the Legal-Rationality authority through these criteria involves several things. Firstly, the Militia of Montana use the value system to demonstrate that the government lacks those values and that the MOM legitimates itself through exposing this neglect. Secondly, the government is adhering to alternative values. In the process of delegitimizing authority in this manner, they also legitimate themselves through these criteria.

Beliefs

The belief values of Lockean Liberalism, Natural Law, Conservatism and Liberalism, Americanism and Nationalism are perceived by the Militia of Montana as not being preserved, maintained or adhered to by government.

Lockean Liberalism

Firstly, adherence to the belief values of Lockean Liberalism, with the focus on the rights of the individual over authority, is part of the criteria for legitimacy, exhibited in government behaviour and policies. Lockean Liberalism is seen to emphasize the value of freedom as it pertains to individual rights and also property rights.⁶ The Militia of Montana see this as lacking in government output that encroaches on the freedoms of the individual. “When government can regulate and restrict what an individual can or cannot do; possess or cannot possess, it is no longer a free nation (*Taking Aim*, 3, 2, 1996: 1). The concept of freedom and individual rights is understood as a central American value, and when it is not expressed as such, it is compared to America’s antithesis of freedom: “In the Soviet government the way it was run in the past...you either do as you are told, or you won’t do it at all. There wasn’t any sovereignty, there was no freedom of choice, there was no individual rights, and that is where America is headed today” (Trochmann Interview 1998). In the context of domination and compliance, the individual identity and rights are not recognized because of Legal-Rational control. In this sense, authority treats Americans as “sheeple” (*Executive Orders for the New World Order*) – as a mass of subjects rather than individuals with rights. The Militia of Montana, rather, express individual rights when the government fails to do so: “the purpose of government is in the protection of the rights of the people, when it does not accomplish this, the militia is the crusader who steps forward, and upon it rests the mantle of defense of the rights of the people” (*MOM Information and Networking Manual*: 6). By expressing individual rights, the Militia of Montana legitimate themselves.

Natural Law

Secondly, the Militia of Montana believe that Natural Law has not been maintained as a belief value as demonstrated in governmental behaviour and policies.

⁶ The control of land is understood as “the massive campaign of the stealing of our right to govern our lands (public and private) by the federal government” (*Taking Aim*, 1998, 4, 10: 3). The control of land is seen as a symptom of big government and the removal of rights: “the government big enough to supply all your needs is big enough to take everything you have, and that is apparently what they are doing today – with the biospheres, relocating people, shutting down whole blocks – it is the largest land grab in the history of mankind [sic]. It is absolutely sick” (Trochmann Interview 1998).

Natural Law is equated with self-government, and authority of the people over government: “that was the basic concept or building block of a self governing people under the law of God” (*Taking Aim*, 2, 11, 1995: 1). The Militia of Montana believe that their inalienable rights are violated by government, and that Americans now are obliged to obey government in order to receive goods – a relationship of exchange which is not based on values, and as a result is illegitimate: “instead of having unalienable rights, we now have inalienable obligations and in return for fulfilling those obligations we will receive benefits” (*Taking Aim*, 1, 10, 1994: 7).

The Natural Law which gives them these inalienable rights and power over government is perceived to be ignored or dismissed. The Legal-Rational means of control through deceptive legislation does not express Natural Law in terms of natural rights: “the Constitution, your legislator’s oath to it, and your inalienable rights (which precede the Constitution) never entered into anyone’s consideration (*Taking Aim*, 4, 9, 1997: 4). Positive law is contrasted with Natural Law through the distinction made by the Militia of Montana of ‘inalienable rights’ versus ‘unalienable rights’. Instead of discussing their ‘inalienable’ rights, the Militia of Montana state they have an ‘unalienable right’. The Militia of Montana perceive their natural rights and Natural Law as subverted through positive law by Legal-Rational authority. ‘Inalienable’ is felt to put people “IN*A*LIEN*ABLE” (*Taking Aim*, 2, 11, 1995: 3) position, or capable of being liened or transferred in a legal sense. Unalienable rights are therefore “rights which cannot be liened” and are defined in terms of the rights which are “incapable of being transferred” (*Taking Aim*, 2, 11, 1995: 3). Through this distinction, the Militia of Montana delegitimize authority and believe that they express these rights every time they use the term ‘unalienable’.

The Militia of Montana legitimate themselves through the use of Natural Law, which gives them the right to challenge illegitimate government, while simultaneously claiming rightful authority for themselves:

The Natural Law is our foundation. This is where our country sprang up from. This is where our authority lies. This is where our duty of resuming our responsibility in stopping this government gone mad lies – with the NATURAL LAW (*Taking Aim*, 1, 6, 1994: 6)

The Militia of Montana equate themselves with the ‘Founding Fathers’, having the same authority and belief values of Natural Law: “MOM holds the position of our founding fathers that we live under laws of nature and Nature’s God...from which

come the rights of life, liberty and the pursuit of happiness” (*Taking Aim*, 1, 7, 1994: 10). Their protest is framed as ‘freedom fighting’ which created an independent nation: “we must become what our forefathers were: freedom fighters! Neither the Afghans, nor our forefathers, had any legal, lawful or constitutional right to wage war for our independence. But they did it anyway. Where was their authority? In the Natural Law” (*Taking Aim*, 1, 6, 1994: 6). The expression of Natural Law by the Militia of Montana legitimates their protest further in terms of Value-Rationality because it becomes their responsibility to challenge illegitimate government on this basis: “this is the basic job of the militia: to enforce the Natural Law upon those who have broken the law, when the normal course of judicial proceedings cannot do so” (*Taking Aim*, 1, 6, 1994: 6). To the Militia of Montana, the Constitution states that Natural Law gives the authority to challenge the legitimacy of the State based on the criteria the Constitution sets forth:

Once again, under the Natural Law, the people created the Constitution, the Constitution created the government, and the government created corporations. The corporations now control the government and the government now acts outside the Constitution, so therefore, the people must enforce the Natural Law in order to put the government back inside the chains of the Constitution (*Taking Aim*, 1, 6, 1994: 6).

Natural Law – the right and responsibility - gives them legitimacy, legitimates the protest, and establishes the criteria for Value-Rational legitimacy as the duty and responsibility to recognize these rights. These criteria mean that government is illegitimate because this understanding of rights has not been preserved.

As a result, the protest against the Legal-Rational State is presented in terms of natural rights and Natural Law. According to the beliefs of the Militia of Montana, the State lacks authority to legislate because positive laws cannot replace Natural Laws, which the State is seen to be neglecting. To the Militia of Montana, Natural Laws contain the belief values of Americans, not the positive laws of today’s government. The militia’s authority lies outside of any governmental control or law, which are instruments of the State. To this end, The Militia of Montana even state that their rights to challenge the government go beyond the Constitution, or preceded the Constitution, so there is no debate about their legitimacy to protest government: “The militia must operate as if there were no Second Amendment. Even if there wasn’t a guarantee for the people to keep and bear arms in our constitutions, we would still

have the right to keep and bear arms under the Natural Law” (*Taking Aim*, 1, 6, 1994: 5).

The Militia of Montana rely on these criteria for Value-Rational legitimacy; Legal-Rational authority is unable to preserve and maintain these values, and demonstrates a lack of commitment to doing so. The Militia of Montana delegitimize authority by exposing the lack of substantive commitment and adherence to those belief values. The objective of the Militia of Montana appear to legitimate the group through the expression of these values as ideology.

Conservatism and Liberalism

Thirdly, the belief values of Conservatism and Liberalism are part of the criteria for legitimacy. The Militia of Montana believe that the government has neglected these values. It has neglected Conservatism by focusing on Liberalism. The MOM express the themes which identify Liberalism with Socialism. The elites are defined as liberal intellectuals, the media is identified as liberal and socialist, and non-governmental agencies like monitoring groups are defined as “socialist”, or liberal (*Taking Aim*, 1, 8, 1994: 1). The Clinton administration is identified as liberal and there is opposition to the regime. However, the MOM do not highlight the challenge to Liberalism as much as would be expected.

What the Militia of Montana emphasize is the neglect of both Liberalism and Conservatism in governmental policies and behaviour. The Militia of Montana believe that the government also neglects both values by subordinating them to business or economic interests or ‘corporatism.’ In this way, Conservatism and Liberalism are central to the American political culture and how the Militia of Montana relate to the political system: “The New World Government will be neither liberal nor conservative, it will be corporate.” (*Taking Aim*, 4, 9, 1997: 1). Because of the lack of adherence to the values of Conservatism and Liberalism that is central to the value system, there is a loss of legitimacy. Conservatism and Liberalism are part of the value system, and no longer appear to be valued by the government. The Militia of Montana delegitimize authority due to the loss of these values, and in the process legitimate themselves by highlighting this loss. The use of conservative themes and attacking liberal ones also serves to demonstrate their challenge to the hegemony of liberal values at the expense of conservative values.

Americanism

Fourthly, government behaviour and policies do not display a substantive commitment to Americanism in several ways. To the Militia of Montana, this lack of adherence to Americanism as a belief value is demonstrated by government and military behaviour and policies towards America's 'enemies'. These policies are ones of cooperation, which erodes values. The military is seen to lack the strength to protect America from these enemies, and foreign policy is seen as contrary to American interests by cooperation with, or antagonism of, America's enemies. Further, because of the behaviour and policies of government and the military, there is a lack of respect for the American nation, which is no longer the 'shining example' for the world. If the government was expressing Americanism in policies and behaviour, it would be isolationist, it would focus on building military strength, it would restore the moral character to be a role model for the world (so that it would not have to intervene), and it would not cooperate with enemies who weaken the ability of America to protect itself.

According to the MOM, this cooperation with 'enemies' such as Russia, China, Cuba and Iraq is due to two things. Firstly, the American government is in 'business' with these nations, through trade and military policies, and because of economic motivations, or the government's adherence to un-American values, the government cooperates with these nations. Secondly, the Militia of Montana also present the government as ignorant to the nature and intentions of these enemies – being 'duped' into believing that cooperation is possible and that the Cold War is over. These nations are waiting to seek retribution on America for the past, and American officials are unaware.

The relationship with Russia is seen as one of military cooperation under the government program of the "bridge to America" (*Taking Aim*, 1, 5, 1994: 5). This policy originated in 1993, according to the Militia of Montana, when "the US Secretary of Defense and Russian Defense Minister announced their decision to implement a program of defense and military contracts (*Taking Aim*, 2, 7, 1995: 9). This policy "will allow these former Soviet countries to take part in military exercises with NATO forces...obviously this is just one of the steps in developing the UN Army – one world police force" (*Taking Aim*, 1, 5, 1994: 4). This cooperation "would involve the Russians directly with Heartland America...we are now finding answers as

to why we have been witnessing countless amounts of foreign equipment in our country and how they are building their UN Army, one world police force” (*Taking Aim*, 1, 5, 1994: 4). The Militia of Montana quote R. James Woolsley, a former CIA director who believes that Russia is “still the country most dangerous to the United States” (*Taking Aim*, 2, 9, 1995: 9). The Militia of Montana further state that “we have shown that by interacting U.S. forces with former enemy nations that this is the last step in preparing our troops for entrance into the one world police force” (*Taking Aim*, 1, 5, 1994: 11).

The cooperation with such ‘enemies’ demonstrates to the Militia of Montana that the government and military have disregarded the values of Americanism. The evidence of this cooperation is vast, and ranges from “joint research with Russian military manufacturers” (*America’s Judgements: What Lies Ahead*) to the swapping of police and military with Russia, as well as China, under various government programmes.⁷ From newspaper articles, the Militia of Montana cite the following headlines as evidence:

- “Kansas to train Russian cops” (Topeka Capital Journal, Tuesday, August 25, 1992).
- “Plan would put German troops in the US” (The Dallas Morning News, Sat. May 11 1991).
- “Top Chinese officers see future here” (Chicago Tribune, Wed May 19 1993).
- “Red Chinese Soldiers to Train at Fort Benning” (The Albany Herald, June 25, 1985).
- COP SWAP His beat is Leningrad but He’s on Loan to LAPD. His local host will visit USSR” (Los Angeles Times, April 30, 1991).
- “SF cops teach Russians to fight crime” (San Francisco Chronicle, July 25 1994)

The fear of military cooperation with the ‘enemy’ explained in terms of a ‘global police force’ exposes the fear of the loss of American values. The Militia of Montana express this as anti-communism and fears of ‘foreign’ law enforcement officers (*Taking Aim*, 2, 8, 1995: 6). The Militia of Montana believe that without the same values, these agents will persecute Americans. This is because they will not have a connection to fellow Americans, and as a result, such agents will act like robots

⁷ In a two hour lecture on video entitled *America’s Judgments: What Lies Ahead*, John Trochmann provides countless pictures and newspaper articles which demonstrate this cooperation. Several books on their booklist also document pictures and personal testimony of observers.

following orders (*Taking Aim*, 2, 8, 1995: 6). These forces will enforce global standards of behaviour that are void of American values (*Taking Aim*, 2, 8, 1995: 5).

The Militia of Montana believe China is the biggest threat to America today (Trochmann Lecture, 1 March 1998). The policy towards Taiwan is one that the MOM feel will cause a conflict: "The USS Independence has begun launching F14 [sic] and F18 fighter jets as a warning to China. China has stated that America will not get involved in the dispute over Taiwan because we would not risk Los Angeles for Taiwan. This is an implied threat of a nuclear attack on that city" (*Taking Aim*, 2, 8, 1995: 15).

While China is feared, other nations are also believed to want retribution for America's behaviour and policies. Government and military policy and behaviour also unwittingly antagonize enemies, inviting punishment and retribution on America, so that "now America must not only have to deal with possible Iraqi revenge from the Gulf War...China and Bosnia, but must also be on the look out for Cuban Special Forces. Oh and lets not forget about Louis Farrakhan and his statement: you can quote me: 'God will destroy America by the hand of Muslims'" (*Taking Aim*, 2, 12, 1996: 15). It is also believed that "Cuban Special Forces are training in China and Vietnam for terrorist attacks in America as revenge for the sanctions and seizing of Cuban assets in America" (*Taking Aim*, 2, 12, 1996: 15).

The Militia of Montana believe that government policy should be based on non-intervention in order for it to be legitimate. This is premised on the belief that the military is no longer strong, and that America is threatened because the belief values of Americanism are no longer present. The Militia of Montana legitimate themselves by exposing America's enemies. The responsibility of the MOM is to identify and challenge enemies, both foreign and domestic. This is not only seen as delegitimizing the government that has not exposed its enemies, it also legitimates the MOM.

However, the preservation and maintenance of Americanism also involves being a 'shining example' to the world. The Militia of Montana believe that the behaviour and policies of government make it the embarrassment of the world. This is due to behaviour and policies in the domestic and international arena. Domestically, the immoral behaviour of American politicians who lack the principles and moral character to be in government constitutes illegitimate authority, as exemplified by Clinton:

At least since Watergate most scholars agreed that the founding fathers considered it a high crime for a president to fail to observe moral standards expected of him. Impeachment then and now has to do with standards of political morality...Bill Clinton came to office promising the most ethical administration in our history and has instead given us the sleaziest (*Taking Aim*, 1997, 4, 8: 8).

As John Trochmann states, "If you go to foreign countries and talk about America – we are the laughing stock of the world because of our lack of morals" (Trochmann Interview 1998).

Internationally, the intervention in foreign nations to resolve disputes under the United Nations has been perceived as contrary to American interests. If the values of Americanism were followed, the Militia of Montana feel that America would not have to be involved in embarrassing 'losses', and in disputes that create further hostility towards America. To this end, John Trochmann feels that "we have an obligation to be the light of the world, the role model, and if we are perhaps we won't have to be the most expensive 'policeman of the world'" (*Taking Aim*, 2, 11, 1995: 2).

Nationalism

Fifthly, Value-Rational legitimacy requires the preservation and adherence to nationalism as a belief value in policies and behaviour highlighted by the Militia of Montana. The government is seen as valuing internationalism rather than nationalism. Internationalism is defined by the MOM as the loss of national identity and sovereignty, and is symptomatic of globalization. It is believed that "there is a clear and deliberate plan to strip the sovereignty of the United States and place it under a world government that is pure socialism" (*Taking Aim*, 1, 9, 1994: 12). This global political system is one where there is no allegiance or loyalty to the nation. The MOM believe that "Nationalism has yielded its leadership to Internationalism. This is evidenced by the President requesting permission from the UN, instead of Congress, to invade another nation" (*Taking Aim*, 1, 10, 1994: 7).

The Militia of Montana believe that the government follows a policy of internationalism which is a commitment to principles other than those contained in the Constitution or the Declaration of Independence. The Government is rather seen as joining treaties and organizations that subvert the belief value of nationalism, transferring power to corporations. Instead of expressing the Constitution,

internationalism involves allegiance to the constitution of the New World Government - The Federation for World Government - written in 1943 and which is believed to be the precursor for the United Nations Charter. This internationalist 'constitution' seeks to explicitly erode nationalism according to the Militia of Montana. As the Federation for World Government resolution states,

Governments, limited in their jurisdiction to local geographical areas, can no longer satisfy the needs or fulfill the obligations of the human race. Just as feudalism served its purpose in human history and was superceded by nationalism, so has nationalism reached its apogee in this generation and must yield its hegemony (editor: 'Authority') in the body policy to internationalism...Nationalism, moreover, is no longer able to preserve the political independence or the territorial integrity of nations, as recent history so tragically confirms (*Taking Aim*, 1, 10, 1994: 3).

The Militia of Montana state that "these resolutions have just outlined the One World Government", (*Taking Aim*, 1, 10, 1994: 6-7) and that they serve as a "blueprint" (*Taking Aim*, 1, 10, 1994: 7) for the United Nations Charter. According to the Militia of Montana, these resolutions were passed by the individual states of America.⁸ This charter is seen as a direct contravention of the American Constitution and American sovereignty. Also, the MOM believe that this declaration can be described as the "Declaration of *Interdependence*", (emphasis added) which, "supported by several of our elected officials, moves the United States of America closer to the mandates of the United Nations Charter" (*Executive Orders for the New World Order*).

The Militia of Montana believe that internationalist policies and behaviour are ones where the American government is involved in regional and global arrangements and treaties. To this end, the MOM discuss "government ratified covenants, treaties and agreements adopted through various formally recognized organizations, either global (UN, World Bank,⁹ etc.), functional (OECD, GATT,¹⁰ IAEA, etc.), or regional (NATO, CSCE, APEC, ASEAN)" (*Taking Aim*, 2, 8, 1995: 2). The Militia of Montana state that American leaders believe

⁸ The Militia of Montana state that this resolution was passed by the General Assembly of the Commonwealth of Pennsylvania, and that "between 1940 and 1945, every State passed similar resolutions as Pennsylvania has" (*Taking Aim*, 1, 10, 1994: 7).

⁹ The involvement in providing humanitarian relief, via organizations like the World Bank are seen as contrary to American interests. The American government should be feeding its own people. Further, the Militia of Montana state that the policies of these organizations is to use food as a means of control (Trochmann Interview 1998).

Organizations such as the UN, UNESCO, World Heritage Foundation etc. carry more weight than national governments in their own national policy. A clear violation of that countries [sic] sovereignty among the nations of the world. Will America also acquiesce to Non-Governmental Organizations [sic]? (*Taking Aim*, 1995, 2, 8: 5).

Regional security arrangements also erode sovereignty. For example, the Militia of Montana proclaim that “the real purpose” (*Taking Aim*, 2, 9, 1995: 11) of NATO “is nothing more than a regional security arrangement organized under the UN,” (*Taking Aim*, 2, 9, 1995: 11) and the Preamble states that “the parties to this Treaty reaffirm their faith in the purposes and principles of the Charter of the United Nations” (*Taking Aim*, 2, 9, 1995: 10). The Militia of Montana believe it is UN regional forces like NATO that will subject America to a One World Government: “there will be no more national sovereignty, which includes protection of national citizens from outside forces”¹¹ (*Taking Aim*, 2, 8, 1995: 7). In all of these organizations, treaties and agreements, “nationalism and sovereignty have completely been left out of the equations” (*Taking Aim*, 2, 8, 1995: 2).

The Militia of Montana perceive that international organizations are not only without rightful authority, but they are exclusively about power and control. Treaties that involve American government with these international organizations are also blamed for the loss of nationalism, as for example, the Kyoto treaty:

Now this comes at a very interesting time. This comes at a time when America is more the world’s breadbasket than at any time in the history of man. Now what are the other consequences of a UN Global Climate treaty? One of the most disturbing aspects of this treaty is the threat to the US sovereignty. Who would administer this? Have we thought about that? Is this country really ready and prepared to turn over its industry and responsibility for its manufacturing to multilateral international organizations... (*Taking Aim*, 1997, 4, 9: 3)

¹⁰ The very fact that America has agreed to be part of GATT and NAFTA are evidence of transferring power to the international system. For example, the General Agreement on Tariffs and Trade (GATT) which gives the World Trade Organization the power to settle trade disputes, will be used against developed nations organizations to reduce them to third world status, according to the Militia of Montana. The result is that the World Trade Organization will allow other countries to “rape our country...until...we will already have been brought down to a third world status and would be better off staying within GATT or we all starve. We have to remember that this is one of the goals of the enemy that the United States be brought down to a third world status” (*Taking Aim*, 1, 9, 1994: 9).

¹¹ The Militia of Montana also believe that “the ruin of NATO is a long term Russian objective”, and has been “coordinated in secret between Moscow and the East European capitals, is irreversible penetration of NATO” (*Taking Aim* 2, 9, 1995: 11).

The Militia of Montana also believe that Trans-national corporations are typical of non-governmental organizations – the UN is referred to as a ‘multi-national’ organization because it is seen as a money-driven, money-making enterprise (*Taking Aim*, 4, 9, 1997: 1-3). The government makes these agreements based on its relationship with transnational corporations. This relationship is one that allows these corporations to control the government and jeopardize sovereignty and national identity. Because of these corporations, the political system is said to be one of feudalism: “this power grab by TNCs and the transfer of authority to their centralized bureaucracy is what globalization is all about. It amounts to the replacement of the democracy by a modern corporate variety of feudalism” (*Taking Aim*, 4, 9, 1997: 1). Thus, it is also about authority over the political system:

These multi national corporations are a very big threat to Americans. Why? Simply because they are now almost in complete control of our government. They control Clinton and the Senate and are fighting for control of the House. To see just how much influence they have, watch the progress for approval on fast track agreements. These agreements are evidence of the fact that the multinationals owe no allegiance to anyone, and they are raping the environments of many countries and trampling on the rights of workers (*Taking Aim*, 4, 8, 1997: 12).

According to the MOM, these corporations which control America are staffed by bureaucrats who have no allegiance to any nation, and are therefore not motivated by American values. As a result, it is believed that “the U.S. Constitution is...being sold out by TNC political influence” (*Taking Aim*, 4, 9, 1997: 1).

The Militia of Montana also perceive that nationalism is also no longer preserved and maintained by government as demonstrated by policies and behaviour because ‘big government’ – the distant and oppressive authority – does not foster the ‘national consciousness’ of the people as a nation. The Militia of Montana’s fear of a world government is based on a fear that ‘big government’ is out of control: it now supercedes national boundaries. It just keeps on getting bigger. The result is that citizenship is now a global concept: “More and more we hear the term ‘global citizens’. This term is self-explanatory and that is the goal which the leaders of the military and the American government are leading its citizens into” (*Taking Aim*, 2, 8, 1995: 7). The behaviour and policies of the American government are the cause of the erosion of nationalism.

To this end, the Militia of Montana seek to delegitimize authority by restoring nationalism. The nation represents horizontal identification, and the face to face community. In this way, nationalism is seen as a grassroots political phenomenon. Legitimacy decreases the more vertical and centralized authority becomes. The Militia of Montana express this in terms of self-determination, from local communities to state government. This rejection of centralized authority is both at the international and domestic levels. To legitimate the MOM, they express the belief value of nationalism through claims to sovereignty of the state of Montana, and the advocacy of grassroots local authority.

The nation is placed above all other forms of identification. This is demonstrated by the rejection of identification with the State. John Trochmann does not treat the functions of the State and the methods of control as legitimate. Firstly, he no longer sees himself as a 'citizen'. He has also challenged State control and power by not paying taxes, for taxation is said to be unconstitutional since the passage of the Sixteenth Amendment.¹² The MOM also challenge the function of State control through laws and other means such as surveillance, as discussed previously.

The lack of identification with the State is also reflected in the way the Militia of Montana identify with the Nation-State. The State has not been able to represent the nation, and the values of national identity, and as a result, nationalism is not being followed, as demonstrated by governmental behaviour and policies. The Nation-State is also seen to have lost its traditional functions and character. The Nation-State has an international character that defines sovereignty and independence in the international system. The MOM perceive that the ability of the Nation-State to declare war, a characteristic of a free and independent state according to the Declaration of Independence, is largely gone because the United States is beholden to the United Nations for permission to declare war. The group cite an academic, James J. Schneider, who released a bulletin entitled "Abusing the Future" through the John F. Kennedy Special Warfare Center who said that "the future will be dominated by a resurgent force that will change the nature of the Nation-State and the national security system" (*Taking Aim*, 2, 12, 1996: 12). He is further cited:

¹² The Sixteenth Amendment to the Constitution states that "the Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration" (U.S. Constitution, Amend 16).

The resurgence and the growing influence of the UN...may change the very structure of the nation state. As the modern state evolved, it developed a legal structure that acted as a kind of genetic code. One of the key legal strands was the right of the state to declare and wage war. The growing power of the UN is beginning slowly to erode this defining characteristic of the nation state (*Taking Aim*, 2, 12, 1996: 12).

The response by MOM is that “perhaps Mr. Schneider and other traitorous world socialists had better read the document which declared America free and independent: the Declaration of Independence” (*Taking Aim*, 2, 12, 1996: 12).

The Militia of Montana advocate the rights of the individual states and identification with the state government rather than the federal government. The role of the individual states in the union was to check federal government, not to be controlled by it, as they are now through a system of federal funding:

Well it all started out with the states before we had the Union between the states...there were plenty of guidelines put in the Bill of Rights, Article 7, 9, and 10 at least to make sure that the national government could not cross the lines on the states' rights. Today we find it happening all the time. 'States – you do as you are told or you are not going to get federal money. You won't get money to maintain your roads, you won't get money for welfare', and all these carrots – I call them carrot programs. Dangle the carrot in front of them, and I think it is wrong, real wrong. And the only reason the federal government is allowed to continue doing this is because the states continue to fund these problems (Trochmann Interview 1998).

Thus, the federal government is charged with not expressing the rights of the individual states. The Militia of Montana identify with the state of Montana to the extent that they joined another Montana group, the Montana Shooting Sports Association, with the objective of attempting to repeal Article I of the Montana Constitution in order to become a sovereign nation. The Montana Shooting Sports Association is quoted as saying, “we will simply not submit to the accelerating betrayal of our constitutional rights. We choose to opt out” (*Taking Aim*, 1, 6, 1994: 1). This protest action is “based on the fact that the Compact with the United States is a part of the Montana Constitution, and that the Constitution reserves to the people” (*Taking Aim*, 1, 6, 1994: 2) the right to “alter or abolish the Constitution and form of government whenever (the people) deem it necessary” (Article II, Section 2) (*Taking Aim*, 1, 6, 1994: 2). They are expressing nationalism by advocating sovereignty from the federal government: “we will keep our freedom, even if it means going on our own, just as the nations states of Eastern Europe have recently done” (*Taking Aim*, 1,

6, 1994: 2). The comparisons to Eastern Europe are used to demonstrate that the Militia of Montana believes the militia movement is nationalistic. The Militia of Montana further states this display of nationalism is not confined to arguments about the Tenth Amendment,¹³ as other militias may advocate, and it is:

Totally different from the 10th Amendment resolution that many states, including Montana, are passing and/or attempting to pass. The 10th Amendment resolution put the Feds on notice that the States are the boss. This falls short in that the Constitution of the United States of America is no longer in force. This is evidenced by the actions of the executive, judicial and legislative branches of the federal government (*Taking Aim*, 1, 6, 1994: 2).

The Militia of Montana also exhibit parochial loyalties by advocating the supremacy of local authority. The local grassroots community is thought to be the most legitimate point of political identification. One article in the newsletter advocates the authority of county government as a new form of protest:

No one ever thought about going to the basic building block of government – the county where it all began. Remember the town hall meeting. The people came together, debated and solved their problems....that was the basic concept or building block of a self governing people under the law of God. Ah! The birth of a new big government? Not if we mind the store this time... (*Taking Aim*, 2, 11, 1995: 2).

As a grassroots political movement, their protest is legitimated by their identification with horizontal political relationships; the local community and the nation. The Militia of Montana feel justified in their actions precisely because the federal government has forced them ‘back to their roots.’ As John Trochmann says, “the grass is not going to grow unless the conditions are right, which means moisture, and heat and sunlight etc. It appears that the conditions are becoming right for the grass roots movement to take effect because the Clintoneasta regime¹⁴ (as some refer to it and I am one of them), has made the conditions right for the grass roots movement to sprout and grow” (Trochmann Interview 1998). As part of this grass roots movement, the Militia of Montana declare themselves as a type of ‘county movement’: “MOM is helping citizens in their respective counties form similar

¹³ The Tenth Amendment to the Constitution says that “the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people” (U.S. Constitution, Amend. 10)

¹⁴ The term ‘Clintonistas’ is used to associate the government with Communism, in reference to South American communist movements (Williams 1996: 939).

volunteer organizations. This is a grass roots movement designed to stay in county” (*MOM Information and Networking Manual*: 17). The county movement in several places is stated by the Militia of Montana “to be an excellent way for Americans who have had enough of “big government” to make a difference” (*Taking Aim*, 2, 4, 1995: 10).

To the Militia of Montana, it appears that the government no longer has a substantive commitment to fighting communism. Sovereignty is being eroded, and along with it, national identity. The lack of this substantive commitment to nationalism by government is seen as a result of the inability of central authority to manufacture a sense of national identity or the ‘nation’, and therefore serve the needs of the people in terms of national identity through this. Globally, nationalism is said to have disappeared because of interdependence and the threats to sovereignty.

The MOM thus perceive the political system in terms of illegitimate power relationships. These relationships reflect an international and domestic dynamic of illegitimate power which affects Americans and which seeks to control them. The relationship of the American government with international corporations allows these corporations to control the government and jeopardize sovereignty. By exposing this, the MOM are attempting to delegitimize authority, and legitimate the Militia of Montana through the expression of nationalism and sovereignty.

Rules

The Militia of Montana demonstrate through the Declaration of Independence and the Constitution – the documents that define the ‘rules of the game’ – that the government contravenes American rule values. The Constitution is defined by the Militia of Montana as “the supreme law of the land” (*MOM Information and Networking Manual*: 10). They believe that “the constitutions of the United States and the several states have been subverted and have not been in use for well over a century” (*Taking Aim*, 1, 6, 1994: 5). The MOM also use the Declaration of Independence to cite examples of tyrannical authority that have not followed the rules of the game. To this end, the MOM believe that officials subvert the Constitution, and other documents that define their role and the use of power in government.

Firstly, the rules pertaining to authority are perceived by the Militia of Montana as being transgressed. This is understood in terms of the way decisions are seen to be made, in terms of the obligations being fulfilled, and in terms the way the system of government is supposed to operate. The ways decisions are made by public officials, and the way they acquire, maintain and exercise power is seen as illegitimate because the governmental output is incongruent with the rule values contained in the American value system. Elected officials acquire power because “big money wants them there” (*Taking Aim*, 4, 9, 1997: 1). They maintain that power through legislative control, and they exercise that power through law enforcement. This is highlighted by the way the Militia of Montana view political authority operating in the Executive, Legislative and Judicial branches of government.

The President is seen not only to have acquired power illegitimately, but to maintain and express a tyrannical power. The Militia of Montana quote the Declaration of Independence which states that tyranny is evident when “*the high office of the Presidency has turned into a position of dictatorial oppression through the abusive use of executive orders and directives. The Senate and the House of Representatives have been stripped of their power and authority. When the President over rules the Congress by Executive Order, Representative government fails*” (*Taking Aim*, 2, 3, 1995: 4). The power of the President to make executive orders is one example given by the Militia of Montana of this tyranny. Executive orders are defined as

...laws established by United States Presidents. These laws are not passed by the House or the Senate, and create an end-run around the Constitution...these laws are unconstitutional because the Constitution does not afford any person the right to create laws by himself that negates the Constitution (*Executive Orders for the New World Order*).

The President is seen as exercising too much power; this is also exemplified by the ability of the president to declare martial law. Martial law “suspends all prior or existing laws, functions and systems and programs of civil government and replaces them with a military system” (*Executive Orders for the New World Order*). The creation of federal agencies like the Federal Emergency Management Agency (FEMA) which have the power to suspend the Constitution and control all citizens, is the epitome of illegitimacy, according to the Militia of Montana, and can be used by the President for his own purpose. Further, it is believed that the President is not

recognizing the obligations to the other branches in government. The Militia of Montana cite the Constitutional rule that the president cannot make “treaties and agreements with foreign powers” (*Taking Aim*, 4, 10, 1998: 8) without a two-thirds majority of the Senate. The MOM argue that “under the Constitution, Article I, Section 10 of the Constitution states that ‘no state shall, without the consent of Congress, enter into any Agreement or Compact with another state, or a foreign power’” (*Taking Aim*, 4, 10, 1998: 8). The conclusion made is that for a President to enter into these treaties and agreements, he must have transgressed this balance of power – there are no more checks and balances. This authority is tyrannical because it is the imposition of power, “requiring States to alter laws to conform to the unconstitutional GATT and Nafta Treaties” (*Taking Aim*, 2, 3, 1995: 6). The Declaration of Independence is also cited by the Militia of Montana to demonstrate that “*he¹⁵ has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their Public Records, for the sole purpose of fatiguing them into compliance with his measures*” (*Taking Aim*, 2, 3, 1995: 6). Further, the tyrannical executive “*has combined with others to subject us to a jurisdiction foreign to our Constitution, and unacknowledged by our laws; giving his assent to their acts of pretended legislation*” (*Taking Aim*, 2, 3, 1995: 7). The evidence is again, “the GATT Trade Agreements, designed for years to side step our sovereignty” (*Taking Aim*, 2, 3, 1995: 7).

The Executive is also seen as lying to other branches in order to have policies and programmes put in place regarding the military. As the Militia of Montana highlight, the Declaration of Independence states that “*he has kept among us, in times of peace, Standing Armies without the consent of our legislature*” (*Taking Aim*, 2,3, 1995: 7). The President has done this by “expanding United Nations Forces with training bases; Foreign Equipment storage; Permanent Foreign military bases; Foreign, including Russian cooperative training” (*Taking Aim*, 2,3, 1995: 7). The Declaration of Independence also shows that when “*he has affected to render the Military independent of and superior to the Civil power*” and “*for quartering large bodies of armed troops among us*”, (*Taking Aim*, 2,3, 1995: 7) authority is tyrannical. The evidence is “foreign materials and equipment: Honest Representatives being lied to by

¹⁵ The Declaration of Independence referred to the tyrannical authority as King George, but the Militia of Montana use these excerpts as generalizations for the government as illegitimate.

the Executive branch and the UN Executives with regard to this equipment” (*Taking Aim*, 2,3, 1995: 7).

The Legislative branch is also seen as having transgressed the rules of the game, and by doing so, is demonstrating tyranny. Some of the legislation passed by Congress is seen as the “infringing on several of the peoples rights guaranteed to them under the Constitution” (*Taking Aim*, 2, 3, 1995: 7). Congress is seen as creating too much legislation, and they are only able to do so if they contravene another rule of the game: “the Constitution requires that Congress to be assembled only once per year” (*Taking Aim*, 4, 10, 1998: 7).

The Militia of Montana also use the Constitution and Declaration of Independence to demonstrate how the judiciary has become a reflection, and a cause of the problems experienced by the other two branches of government: “it is time to face the facts: our judicial system has not only been taken over in the same subtle manner as our legislative and executive branches but has been a key player in aiding these two branches in being taken over” (*Taking Aim*, 1, 6, 1994: 5).

The Militia of Montana see several problems with the judiciary. The judiciary is seen to behave badly, which is unconstitutional: “according to the Constitution, the minimum infraction necessary for the impeachment of a judge is bad behaviour” (*Taking Aim*, 4, 10, 1998: 8) and “Article II, Section 1 of the Constitution states that ‘the judges, both of the supreme and inferior courts, shall hold their offices during good behaviour’” (*Taking Aim*, 4, 10, 1998: 8). The judicial system as a whole is seen as exercising power illegitimately. The Militia of Montana believe there is no judicial independence because authority is tyrannical as defined by the Declaration of Independence where “he [King George] has obstructed the Administration of Justice, by refusing his assent to Laws for establishing Judiciary powers. He has made judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries” (*Taking Aim*, 2, 3, 1995: 6). The Militia of Montana also believe that “congressional and presidential acts of Immunity and Obligations of Judges to Power; covertly through selective Appointments” (*Taking Aim*, 2, 3, 1995: 6) are evidence of this tyranny. Judges are seen as coming to power “covertly through selective appointments,” (*Taking Aim*, 2, 3, 1995: 6) as well as being obligated through such appointments. There is no longer judicial independence.

The judicial system is attacked by the MOM in particular because there appears to be no justice. John Trochmann refers to the judicial system as the “judic-ill”

(*Taking Aim*, 1, 6, 1994: 2) system, and the Militia of Montana assassinate the character of the Attorney General as “Butch Reno”, (*Taking Aim*, 1, 7, 1994: 10) who is seen as being responsible for Waco as well as Ruby Ridge. As the Militia of Montana state, “to date, only one FBI agent has been imprisoned for the obstruction of justice in the Weaver Case, and that sentence was only 18 months. No prosecutions have taken place in the Waco incident” (*Taking Aim*, 4, 10, 1998: 12).

Secondly, the MOM believe the rule values pertaining to law are being abused. Government is seen to disobey the rule of law and display illegal and unconstitutional behaviour and policies: “the government has broken the law over and over again” (*Taking Aim*, 1, 6, 1994: 6). Politicians and bureaucrats are believed to not follow the rule of law once in power, and use law for their own purposes. The government does this, according to the MOM, because the government is Legal-Rational with Instrumentally-Rational motivations where “the ends justify the means” (*Taking Aim*, 1, 6, 1994: 6). The Militia of Montana say that “we have seen this philosophy at work in Waco, Texas, and...Idaho in the administration of criminal law” (*Taking Aim*, 1, 6, 1994: 6). The MOM perceive that the rule of law is perverted because of these motivations and to hide the intentions of these laws:

There are those individuals who feel so secure in what they are doing to gain this control, that they have indeed set themselves above the law, or perverted the nature of the law into new laws to protect their conspiracy. Laws that are made in secrecy are a threat to each of us, and must be rescinded if we are to remain a free people (*Executive Orders for the New World Order*).

The law is seen as being altered for the benefit of Legal-Rational authority: “the law perverted and the police powers of the State perverted along with it! The law not only turns from its proper purpose, but is made to follow a totally contrary purpose, the law becomes the weapon of every kind of greed” (*Taking Aim*, 2, 3, 1995: 4). The government is seen as breaking the law because law is a weapon to be manipulated: “instead of checking crime the law itself becomes guilty of the evils it is supposed to pursue” (*Taking Aim*, 2, 3, 1995: 4). Crime legislation is a tool to expand governmental powers. Also, the government will not recognize the crimes of politicians or bureaucrats, only those of the people: “semantics are deadly. Any government’s definition of crime...must exclude their own actions” (*Taking Aim*, 4, 8, 1997: 8). Programmes and policies such as the “war on drugs” is seen as a means of covering up illegal activities:

The 'War on Drugs' is the guise the Federal Government uses to legitimize the invoking of Martial Law tactics (under the Drug & Crime Emergency Act), while they continue to covertly import the drugs and weapons they claim to be fighting against. This guise conveniently facilitates the total disarmament of all weapons (public and private) as mandated by the United Nations (*Executive Orders for the New World Order*).

The federal government is seen as an accomplice in the façade of the War on Drugs to support criminal activity, such as drug smuggling, for "without the complicity of the Federal government, crime of this magnitude could not exist" (*Executive Orders for the New World Order*). Crime is a means to an end for government, and the Militia of Montana believe that "this is why crime has become government sponsored. Without crime they could not justify the restrictions and regulations" (*Taking Aim*, 3, 2, 1996: 1).

The government has also abused the rule of law through the increased powers of law enforcement, and through the conversion of law enforcement. The Militia of Montana believe that because of "increasing Police powers" (*Taking Aim*, 2, 9, 1995: 7) and "militarizing local police" (*Taking Aim*, 2, 9, 1995: 7) the government is illegitimate (*Taking Aim*, 2, 9, 1995: 7). Further, the erection of law enforcement bureaus has caused the effect of negating the rights of Americans. To this end, the Militia of Montana refer to the Declaration of Independence which says that tyranny is where government "has erected a multitude of New offices, and sent higher swarms of Officers to harass our people, and eat out their substance" (*Taking Aim*, 2, 3, 1995: 7). With their own examples, the MOM argue that the American government is tyrannical because it has established "federal armies of Abuse under dozens of enforcement Agencies. Such as the ATF, DEA, BLM, IRS, MJTF, FINCEN, USFS to name a few" (*Taking Aim*, 2, 3, 1995: 7). The use of this power by law enforcement is evaluated as the loss of rightful authority and the negation of rule values. The perception of law enforcement also creates the fear for the Militia of Montana that "because the 'criminal' does not have to follow any rules, they [the government] believe the new 'military law enforcers' should not have to follow rules either" (*Taking Aim*, 2, 8, 1995: 4).

The rule of law also concerns the rule values pertaining to crime and punishment. The MOM believe that the government has not been punished or held accountable for its crimes. This cannot be done because of cover-ups of lawbreaking:

“when government corruption, fraud, deception and secret government theft has not been tried and adjudicated, all constituents become upset” (*Taking Aim*, 2, 3, 1995: 4). The Declaration of Independence states that tyrannical authority is one which protects “*them, by mock trial, from punishment for any murders which they should commit on the Inhabitants of these states*” (*Taking Aim*, 2, 3, 1995: 7) to which they cite the “Iran-Contra cover up, Drugs, Murders; 1980 October Surprise Coverup; White Water Coverup’ Inslaw theft Cover-up; Noriega connections to Government; Murder of Panamanian Citizens; Waco Cover-up” (*Taking Aim*, 2, 3, 1995: 7).

The Militia of Montana make it their role to fight this crime, and in doing so, legitimate themselves. They seek for government to obey the law:

We just want our servant to uphold the law they swore to uphold. It would be like going into a ball game and having some jerk change the laws in the middle of the ball game. So we want it back. Is that asking too much? After all, we are the ones that pay for it (Trochmann Interview 1998).

The MOM attempt to expose and correct the crimes of government through the ‘militia’, as well as through an organization they formed called the UNAmerican Activities Investigation Committee. This organization is designed “to investigate organized crime, and to bring to justice, these criminals who have undermined the American way of life, under the full letter of the supreme law of America” (*Taking Aim*, 1, 2, 1996: 3). This organization is “dedicated to the preservation of the supreme laws of the united States of America” (*Taking Aim*, 1, 2, 1996: 3). They seek to use the rule of law to punish government, in a way which symbolizes the nature of the crime (“UN” American meaning United Nations and thus un-American). Also, the title of this organization it is a way of delegitimizing the American government by pointing to past government behaviour and policies which pertained to investigating extremists. What they are trying to demonstrate is that ‘the tables have turned’ so to speak. Through this vigilante organization, the MOM assume the responsibility and role of exposing government behaviour and policies which transgress the rule of law.

There are also rule values regarding the relationship between citizens and the justice system: the rights of the individual in having a fair trial, due process, and the ability to seek redress in the court for crimes committed against them. The rule values regarding the rights of citizens are outlined by the Fourth and Fifth Amendment, which the Militia of Montana use to demonstrate illegitimate government behaviour. The “4th Amendment to the Constitution states that ‘the right of the people to be secure in their

persons, houses, papers and effects, against unreasonable searches and seizures shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized” (*Taking Aim*, 4, 10, 1998: 9). They also cite the 5th Amendment which guarantees that “nor shall private property be taken for public use without just compensation” (*Taking Aim*, 4, 10, 1998: 9). Further, “the 5th Amendment to the Constitution states that “no person shall be deprived of life, liberty and property, without the due process of law” (*Taking Aim*, 4, 10, 1998: 8). Rather, citizens are seen to be deprived of these rights. Waco and Ruby Ridge are the most often used examples of tyranny, “depriving us in many cases [of] the benefits of Trial by Jury” exemplified by “every illegal IRS seizure for twenty years” (*Taking Aim*, 2, 3, 1995: 7).

In one issue of *Taking Aim*, the Militia of Montana “profile a few cases which we believe are excellent examples as to why this current ‘freedom’ movement has started. We will not rehash the ones most people think of; Weaver, Waco etc. Instead, these cases...occur every day throughout the nation...in every one of these we will see a governmental agency hell bent on destroying American citizens with impunity” (*Taking Aim*, 2, 12, 1996: 1). Such cases include those of Mary Schipke¹⁶, Shirley and Warren Black,¹⁷ Shirley Allen¹⁸ and the Teumer family.¹⁹ The lack of a rule of

¹⁶ With the case of Mary Shipke, the MOM discuss how Child Protective Services removed her newborn baby Kitt from her care, based on the claims that she was an unfit mother. Mary filed a lawsuit based on “civil rights violations, medical negligence, custodial interference, slander, and assault and battery” (*Taking Aim*, 2, 12, 1996: 2).

¹⁷ Shirley and Warren Black were arrested for “failure to submit to the IRS to view their personal records” (*Taking Aim*, 2, 12, 1996: 2). The MOM detailed how they were “held in a maximum security prison without a trial or even one schedules, and the government and court turn their heads and put their fingers in their ears to all legitimate attempts to find legal cause for such action. This is now being done in the United States of America. God help us” (*Taking Aim*, 2, 12, 1996: 2). The MOM said that they are “sometimes caged in shackles and leg irons” (*Taking Aim*, 2, 12, 1996: 2) to demonstrate how the rules are not being followed.

¹⁸ Shirley Allen resisted arrest and refused to leave her home. The following 10 day siege was called the “Roby Ridge” siege, and it was also compared by the Militia of Montana to Ruby Ridge and Waco. The Militia of Montana report of “loud speaker abuse”, (*Taking Aim*, 4, 10, 1998: 4) but “it hadn’t been done to the extent that it had been employed in Waco, where they blasted away with the recorded sounds of the death screams of rabbits being tortured an killed” (*Taking Aim*, 4, 10, 1998: 4). The Militia of Montana maintain that she is sane, and subject to police demonization, and labeled as deviant, or criminally insane, but the Militia of Montana met with her and claims that she is none of those things.

¹⁹ The MOM also detail a story about how the Teumer family home raided “because on of the Teumer brothers had placed a mechanics lien on a backhoe, which he repaired, before the local bank could reposes it from the owner” (*Taking Aim*, 2, 12, 1996: 7). According to one of the brothers, the police apparently “never had any paper work or warrants...officers surrounded my brothers place of business and home, armed with m-16s helmets and full riot gear. During his denial of rights, road blocks were at every possible rout to the property. After they had the tractor, officers broke the door of my brothers home, and with swat and military type tactics, stormed my Mom and held my brothers...at gun point (*Taking Aim*, 2, 12, 1996: 7).

law leads to the persecution of citizens for their beliefs, and entrapment: “we can now see how government agents and agencies (Weaver, entrapment, etc) actually entrap citizens into breaking laws, which allows the politicians to pass more laws for further restrictions (*Taking Aim*, 3, 2, 1996: 2).

Thirdly, rule values pertaining to political participation are seen as being perverted. The most basic means of political participation, voting, is seen as a corrupted process. In one article entitled “Votescam: the Stealing of America”, it says

Your vote has been stolen from you by a Cartel of Federal, National Security, Bureaucrats who include higher ups in the CIA, political party leaders, Congressmen, co-opted journalists and the owners and managers of the major establishment news media. They have decided in concert as to how America's votes are counted – who they want, by whom they are counted and how the results will be verified to the public (*Taking Aim*, 1, 7, 1994: 7).

People are voted into power who are not morally righteous, as a result of a political system where the rules pertaining to participation are not upheld; still, the Militia of Montana express optimism about the elections, for example, in a 1995 newsletter, they say “With new elections coming...perhaps we might even find statesmen who would actually serve their fellow man with love for dignity, honesty, truth, justice and the law whatever the cost” (*Taking Aim*, 2, 11, 1995: 1). Voting is seen as a choice between two evils, as was the case in 1992: “gee, we had Clinton and Bush to vote for – which shade of evil do you want this time? (Trochmann Interview 1998). The Militia of Montana lack identification with both Republicans and Democrats, and because of this, voting is also less salient: “It doesn't matter if it is 'Republic-rats' or Democ-rats, we seem to have the same problem” (Trochmann Interview 1998) because they “actually are the same party” (Trochmann Interview 1998).

The Militia of Montana are looking for Value-Rationally motivated people to make government legitimate, but they feel powerless to do so through voting. The perception of the electoral system is one of control by money: “Presidents are elected because big money wants them there” (*Taking Aim*, 4, 9 1997: 1). Further, because the political system is controlled by an external influence, it doesn't matter who is elected to office. Finally, the problem is that those who run the country are bureaucrats who are unelected officials. In one article, the Militia of Montana state that “these last two years, the conservative revolution, have proven that no matter who gets elected to the House, Senate or the White House, the bureaucracy will march

toward its goal of a world government” (*Taking Aim*, 3, 7, 1996: 1). The Militia of Montana further state that “We are not abandoning the ballot box, but we need to get righteous people in these positions...” (Trochmann Interview 1998).

Voting is not the only form of participation that has been subverted, the original intent of the jury as a means of participation and check on government is seen as no longer valued by government. “What most have forgotten is that the people are not under the Constitution; the government is. This is the reason for the jury. The jury was supposed to be the last peaceful check on an overzealous and oppressive government” (*Taking Aim*, 1, 6, 1994: 5). From the “Citizens Rule Book” the Militia of Montana quote the following passage:

Judges began to erode the institution of free juries, leading to the absurd compromise that is the current state of the law... Juries were to be a kind of safety valve, a way to soften the bureaucratic rigidity of the judicial system by introducing the common sense of the community. If they are to function effectively as the conscience of the community, jurors must be told that they have the power... Cases are popping up all over America, where jurors are threatened with contempt of court if they do not follow the rules as set by the judge. In other words, they are threatening jurors with jail time... Why? As we have stated above the government has declared the Constitution dead (*Taking Aim*, 1, 6, 1994: 5).

Because these rule values of participation are corrupted, protest as a form of participation is justified and advocated. This protest ranges from writing letters, forming petitions and lobbying governmental officials²⁰ to more extra-institutional and unconventional means of protest.²¹ The more conventional means of protest though are also reported to be ineffective. In an article entitled “Stopping runaway government”, the question was asked “what are we going to do about it? Write a nice polite letter to your congressperson?” (*Taking Aim*, 4, 9, 1997: 6). In any case, the Militia of Montana perceive their dissent to be within the ‘rules of the game’ not only because of these ‘conventional’ means of protest, but because of the Value-Rationality of their extra-institutional protest. The Value-Rationality of the protest also dictates challenging the institutional process. Participation in a militia is considered by the Militia of Montana as a legitimate response precisely because the system is

²⁰ Concerning the proposed legislation regarding United States Forest Service regulations, the Militia of Montana said that “because of petitions, letters, phone calls to state legislatures and Congressmen, faxes and e-mails by concerned Americans like yourself, these rules were never made law” (*Taking Aim*, 4, 10, 1998: 1).

illegitimate. The efforts by monitoring groups and government to outlaw this type of participation is seen as a flagrant disregard or rejection of the rule values of the First and Second Amendment.

Fourthly, the rules pertaining to the appropriate methods of dissent are also used by the Militia of Montana to highlight the criteria for legitimacy, which also legitimates their protest. The Militia of Montana are careful about they advocate in terms of protest. They seek to stick to the 'rules of the game' by vociferously advocating abiding by the law, but state the justification for breaking illegitimate laws at the same time. The Constitution defines the rules of expression in the First, Second and Fourth Amendment. However, various laws seeking to outlaw militia association and training are seen as infringements of their rights to participate in a militia, and as a means of expressing their grievances of militia members. According to the Militia of Montana, any denial or disrespect of these rights would be illegitimate. A government that outlaws this form of expression is unconstitutional. They seek to delegitimize the government that would pervert their right to assemble, to express themselves freely and to challenge their basis to do so: "when the President, Senate and House of Representatives infringed upon the Second Amendment, the Fourth Amendment, and are now...contemplating on infringing upon the First Amendment, why do they wonder why their constituents are so upset" (*Taking Aim*, 2, 3, 1995: 4). What further makes government behaviour illegitimate is that militias, who define themselves as legitimate 'patriots,' are being attacked by their government for expressing the 'truth'. The Militia of Montana state, "America has nothing to fear from patriots maintaining vigilance. She should however, fear those that would "outlaw vigilance" (*Taking Aim*, 2, 3, 1995: 5). By seeking to demonstrate the brutality of the State in the treatment of the Militia of Montana, who are seeking to express their rights, the MOM are attempting to delegitimize authority and legitimate the protest.

The rules pertaining to the expression of grievances also involve the right to redress. The right to redress is seen as having been removed for Americans because of the lack of justice and the rule of law. The Militia of Montana believe that "all requests for redress are denied, except at the Whim or Pleasure of the Oppressive State (*Taking Aim*, 2, 3, 1995: 8). For the MOM, there has been no redress regarding Waco or Ruby Ridge in the attempts to express this grievance through the militia: "when government refuses to hold hearings on government sanctioned abuses, and whitewashes those hearings that are held and when government tampers with and

destroys evidence needed to solve a crime and now considers the very idea of infringing upon the peoples rights of freedom of speech, assembly and the right to redress” (*Taking Aim*, 2, 3, 1995: 4).

Symbols

As demonstrated throughout the chapter, the Militia of Montana use symbols to legitimate their protest and delegitimize authority. The government is shown to be illegitimate because it does not uphold, preserve or maintain the values and their meaning in behaviour and policies. Firstly, the founding documents are symbols which the MOM claim are neglected or ignored. The Constitution, the Declaration of Independence, and the Bill of Rights have been used as symbols to demonstrate how government no longer values these symbols.

These symbols also contain myths that point to the ideal – the legitimate political system and type of authority as Value-Rational. The Militia of Montana use these symbols in the process of legitimation through the use of the founding documents, through the voice of the Founding Fathers, and the republican myth of the virtuous and righteous citizen, whose actions are necessary for the establishment and maintenance of rightful authority. Thus, they convey that governmental behaviour and policies (output) are incongruent with the basic American values and do not value the symbol of the militia, the Founding Fathers, and the Republic.

The militia is a symbol of freedom and liberty, and is declared to be the “last bastion of freedom” (*Taking Aim*, 2, 4, 1995: 1). The role of the militia in securing freedom and liberty in the independence of the nation is used by the Militia of Montana to legitimate their role as a check on illegitimate government. The historic role of the American militia is pointed to in the founding of the nation:

Most of our Founding Fathers served in the militia, including George Washington, who commanded the Virginia Militia during the French Indian war. They all had a vision and intimate knowledge of the militia as being the source for the protection of the rights of the people, local government rights and the Constitution. They had fought the French regular Army alongside their brothers the British Army, as militia (*MOM Information and Networking Manual*: 2).

The Second Amendment of the Constitution was to be the expression of this ideal, to serve one particular purpose: to be a check on tyrannical government.

However, the Militia of Montana feel that today's government does not recognize this ideal in terms of the historic role of the militia, and the government incorrectly interprets the Constitution:

They [the founding fathers] also knew that if in the future that our Constitution was not interpreted according to the history in which it was drafted, we would not have a proper understanding of the original intent of our Founding Fathers, or in the words of James Madison, primary author and supreme expert on the Constitution. *"do not separate text from historical background. If you do, you will have perverted and subverted the Constitution which can only end in a distorted, bastardized form of illegitimate government (MOM Information and Networking Manual: 3).*

The Militia of Montana seek to establish that any attack on the militia serves to expose the illegitimacy of a government that does not follow the Second Amendment. This amendment, as a symbol interpreted by the Militia of Montana, is not for the purpose of private gun ownership or individual gun rights. Rather, it is about challenging illegitimate government through the expression of the right to keep and bear arms. To this end, the MOM say that

The majority of American's [sic] today, believe the reason that our forefathers wanted the people to have the right to keep and bear arms was for the purpose of self defense against criminals, hunting etc. This is NOT the primary reason for the enactment of the 2nd Amendment. Let's let Thomas Jefferson explain it for us: *'the strongest reason for the people to retain the right to keep and bear arms is, as a last resort, to protect themselves against tyranny in government' (MOM Information and Networking Manual: 2).*

By using the symbol of the Second Amendment, the MOM seek to interpret the Constitution as encouraging challenges against illegitimate authority, not as promoting private gun rights. Debates about private ownership are seen to detract from their political agenda. To this end, they state that

Thomas Jefferson also understood that those who would attempt to take away the liberty of the citizens of this nation must first disarm them...we are familiar with the anti gun advocates argument, that if we take away the guns of the people, we will lower the crime rate. But this argument was dealt with by Thomas Jefferson when he copied in his Commonplace Book the words of the Italian philosopher Cesare Beccaria in 1775: *'False is the idea of utility...that would take fire from men because it burns, and water because one may drown in it; that has no remedy for evils except destruction (of liberty). The laws that forbid the carrying of arms are laws of such nature...'* (MOM Information and Networking Manual: 2).

For the Militia of Montana, one criterion for legitimacy is following the Second Amendment, which equates the militia with the right to keep and bear arms, and which guarantees a free and independent state. Legitimacy is thus guaranteed by adherence to the Constitution in terms of this 'original intent':

The United States of America, formerly a Republic, now hangs in the balance. We can leave our fate in the hands of corrupted, self serving foreign mercenaries, trust our fate to their decisions, which are fostered by agencies of our government and private corporations in its employ, denying us the freedom to 'keep and bear arms', which is 'necessary to the security of the free State', or we can return to the original intent of our founding fathers (who bled and died for this country), in the defense of our God given inalienable rights, protected by the Constitution and guaranteed to us as citizens, by the Second Amendment. Put simply, one cannot believe in the Right to keep and bear arms without believing in the "militia" (*Taking Aim*, 2, 10, 1996: 6).

By using the Constitution as a symbol, the Militia of Montana try to delegitimize authority and legitimate themselves in two ways. Firstly, by demonstrating that the government does not follow the Constitution from which the militia gains its legitimacy and justification for challenging illegitimate authority. Secondly, by not adhering to the Second Amendment, a symbol itself, and in the way it presents the militia, government is perceived as illegitimate. This is because as the Constitution warns, a tyrannical government must and will disarm the citizenry. The symbol of the Founding Fathers provides a warning against such behaviour. The Brady Bill and crime bills are interpreted as indicative of disarmament of the people by a tyrannical authority: "our government by passing these crime bills and the Brady Bill have shown us that they are attempting to disarm the militias of the several states" (*Executive Orders for the New World Order*).

The myth of the Republic, in which the militia was a symbol of freedom and independence, also defines the criteria for legitimacy. The Republic is a symbol of the power of the people: "the Constitution creates a republican form of government...in the form of government expressed in the Declaration of Independence and defined by the Constitution, power flows: from god to the people, then to the elected officials" (*Taking Aim*, 4, 10, 1998: 7). The Republic has come to symbolize legitimate government for the Militia of Montana. The republican framers of the Constitution, and the country's Forefathers are the symbols in a myth regarding the Republic. A

Republic is where individuals have a vested interest, where participation is meaningful. It is because America is no longer seen as a Republic that legitimacy is lost:

America is at a point in history where she will either be forced from a democracy back to a Constitutional Republic, or she will fall from a democracy directly into World Socialism. Both of these directions stem from the loss of legitimacy the federal government has with the people. The people no longer feel they are represented fairly by their elected officials and therefore, no longer feel the need to obey or support their government (*Taking Aim*, 2, 10, 1996: 5).

The Militia of Montana believe that the Constitution set up a Republican system of government which “avoids the dangerous extreme of either tyranny or mobocracy. A Republican system results in statesmanship, liberty, reason, justice, contentment and progress” (*America’s Judgements, Information Packet*: 6). In Trochmann’s words,

A republican form of government is where the individual rights reign supreme over those that want to do something, or take it away. Now we have a democracy, where anybody votes, whether they have a vested interest or not. So we have got people that live in the cities that own nothing, that vote for a change in the laws that govern the farmer that feed the cities. How stupid can we get? (Trochmann Interview 1998).

Through the symbol of the Republic, which validates and legitimates the militia, the Militia of Montana seek to legitimate themselves and delegitimize the present government. The militia, a product of republican ideals, guarantees rightful authority. Thus, legitimacy goes hand in hand with the existence of militias, and must be protected and emulated for authority to be rightful.

The Militia of Montana also seek to demonstrate through the use of symbols the loss of substantive commitment to values pertaining to the nation. The symbol of the word “America” is used by the Militia of Montana in a way that delegitimizes authority by demonstrating the perversion of the symbol. Instead of speaking of “America” when discussing illegitimate authority, they use a number of other terms. One is “Amerika”, which is used to demonstrate how the nation is under Russian control. As John Trochmann states, this was also the title of a “movie produced in 1986...it had those elusive black helicopters and people being fed out of the back of military trucks...it is like a blueprint for what is coming down the pipe at us”

(Trochmann Interview 1998). They also take the symbol of the “United States of America” and express it differently to demonstrate illegitimacy. One way the Militia of Montana do this is by referring to the U.S.S.A., which stands for the “Union of Soviet Socialist America” (Trochmann Interview 1998). The MOM also distinguishes between the ‘U.S.A.’ and the ‘usA’. In militia movement and patriot literature, this is commonly used, where the former refers to the federal governmental authority over the individual states, while the latter refers to the government whereby “the federal United States was created and limited by the authority and power vested in the Constitution for the usA. Pursuant to the Constitution for the usA, the federal United States has no jurisdiction outside of the 63 miles of the District of Columbia” (‘Johnny Liberty’ 1996: 23).

Other symbols that are no longer seen as valued by the government include the military. The military is a symbol of Americanism, of American strength and patriotism, but according to the Militia of Montana, the military now symbolizes internationalism. John Trochmann feels that “our military has turned on us. We no longer have a United States military. Why don’t you go down to the local recruiters office and see if you can find the word United States any longer. It does not exist...” (Trochmann Interview 1998). Government behaviour and policy is now to use the military in foreign, and unconstitutional intervention, and the military is now having to wear United Nations uniforms. The symbols of a military, such as the uniform, are felt to be disregarded, now that soldiers have to wear UN uniforms. Numerous articles highlight the Value-Rationality of soldiers who refused to obey un-American commands, or wear uniforms that are not American. The Militia of Montana highlight the case of Michael New, who was court martialed and received a “bad conduct discharge” (*Taking Aim*, 2, 10, 1996: 2) for refusing to wear the UN uniform on a UN mission to Macedonia in 1993. As Michael New stated, “I’m proud to wear the US army uniform for what it represents. A lot of good men have bled in the same uniform for my country and I am not willing to take it off to fight for a foreign government” (*Taking Aim*, 2, 10, 1996: 1). According to *USA Today*, “New refused to wear them, saying he felt he was being asked to transfer his allegiance from the United States to the United Nations – despite the fact that his unit remains under US command” (*Taking Aim*, 2, 10, 1996: 2). The Militia of Montana applauded Michael New for his disobedience, which was done regardless of the costs in the name of American values. The MOM reject the policy to wear common UN uniforms to establish common

identity, and state that “this type of justification would mean that any mission, be it UN or NATO, the troops would have to wear a common uniform, disregarding their national symbol and heritage and also the protection the status of being an American soldier brings. This is clearly a one world mentality at work” (*Taking Aim*, 1996, 2, 10: 2).

The Militia of Montana have thus assumed the responsibilities and roles of the military because it is not seen as functioning as it was meant to. To this end, the Militia of Montana become the symbol of what the military is meant to be: the oaths and substantive commitment to defending the nation against enemies. The military posturing is symbolic: the military organizational structure, the uniforms and the “call to serve” (*Executive Orders for the New World Order*) in the Militia of Montana are seen as symbolic of challenging the loss of the military as a symbol. The Militia of Montana further believe that Americans must choose the militia over the military for the expression of American values rather than foreign control: “Join the army and serve the UN, join the militia and serve America” (*Information and Networking Manual*: 6). This choice is seen as one between “freedom or slavery” (*Information and Networking Manual*: 6).

Likewise, symbols of America, such as the American flag, are seen to have been replaced by UN flags (*Taking Aim*, 1, 5, 1994: 16) and for transnational corporations, “all flags are flags of convenience” (*Taking Aim*, 4, 9, 1997: 1). The Militia of Montana sell t-shirts as part of their merchandise, and one T-shirt has the UN flag with a skull in the middle with the caption “UN...Peace through Terror” (*MOM's 1998 Preparedness Catalog*: 33).²² The Militia of Montana, on the other hand, uses the American flag on their publications such as the ‘Preparedness catalogue’²³ (*MOM's Preparedness Catalog*: np).

Thus, the Militia of Montana demonstrate that the government is unable or unwilling to interpret and use American symbols, and instead it chooses to express foreign symbols. The Militia of Montana is able to use the Constitution, the Declaration of Independence, the Founding Fathers, and the myths of the Republic to legitimate themselves through such interpretations.

²² See following page.

²³ Other militia movement symbols, such as April 19, have attempted to trace the significance of the date of April 19, demonstrating control and machination beyond coincidence: “April 19, 1775, Lexington burned, April 19, 1943, Warsaw burned, April 1992, the feds attempted to raid Randy Weaver...April 19, 1993, The Branch Davidians burned” (*Taking Aim*, 2, 1, 1995: 7). Waco and Ruby Ridge have become symbols of government illegitimacy for the movement, and are used to legitimate the militia movement.

Conflict and Legitimation

The Militia of Montana have been shown to use the beliefs, symbols and rules to delegitimize authority and legitimate themselves. From the analysis of the criteria for Value-Rational legitimacy, the MOM use the 'militia' as a means of protest to justify the protest, to legitimate the Militia of Montana, and to delegitimize the State by exposing the problem and legitimate grievances of their militia group and the movement as a whole. This conflict also involves strategies and tactics in a conflict over legitimacy.

Protest Behaviour and Conflict

The use of the militia as a political organization legitimates protest by drawing attention to the conflict over values. Thus, the rationale for using militia by the Militia of Montana is that it is seen as the most legitimate means of protest, and of drawing attention to the issues of the conflict. The use of the word 'militia' and the use of the militia as a political organization reflect the protest behaviour and characteristics in the following ways.

Expresses a grievance, or conviction of wrong or injustice. As John Trochmann stated, the word 'militia' was a rallying point that served to highlight grievances and thus legitimate the protest of the Militia of Montana through the use of the 'militia'.

Early 1994 when the Weaver family had been partially annihilated, the Branch Davidians had been burned at the stake, and when the Brady Bill was passed. That moved people right over the edge. I am talking about mainstream citizens – doctors and lawyers and teachers and little old ladies. Enough is enough – we needed something to rally around and we thought it was the perfect time to start using the word. I mean we had looked at it for many years..." (Trochmann Interview 1998).

The reason it was perceived to be a means of legitimating the Militia of Montana was because it expressed the need to fight a tyrannical and corrupt government. These

grievances include the behaviour of law enforcement bureaus, and how they violate the procedural and civil rights of citizens, as exemplified by Waco and Ruby Ridge. The militia highlights the grievances of federal behaviour and policies as it pertains to particular issues, such as taxes, corruption in government, federal land use,²⁴ and 'big brother' legislation which contravenes the rights and liberties of Americans.

Draws attention to the grievances. The use of the militia as a political organization and as a label serves to draw attention to these grievances through the militia ideal. The Militia of Montana state that the organization is political in nature, and as such, it "does not base its existence upon the legal definition of militia" (*Taking Aim*, 2, 3, 1995: 3). For John Trochmann, the word 'militia' is an ideal that draws attention to the protest behaviour as which challenges illegitimate government to restore legitimate government. John Trochmann used the word 'militia' for his political organization,

Because it pointed people back to the beginning of our nation. Had it not been for the militia, there would not be a free press today. It would be under the British Crown and you would be a subject, not a citizen. You would have a parliamentary system instead of a representative government, so I think the militia had an awful lot to do with the beginning of our nation. It is we the people... (Trochmann Interview 1998).

The militia ideal stems back to American Independence, which was fought and won by militias, giving them legitimacy enshrined in the Constitution. For John Trochmann, this militia ideal is used to legitimate present day militias. It was the efforts of the militias which determined what type of political system Americans cherish today and which gave power to the people: "we used the name militia in early 1994 as a rallying point, or a focal point to point us back to where our country was founded and who helped put it together – it was we the people" (Trochmann 1997).

The term 'militia' is used to draw attention to the role and function of the militia: to serve as a check on government and to "expose and correct" (Trochmann 1997). Further, the militia is used to draw attention to what constitutes legitimate authority, and legitimate political dissent. Thus, the Militia of Montana seek to delegitimize authority by the use of the militias as a means of protest. They state that "the

²⁴ The Militia of Montana feels that places like Montana are the last bastion of freedom in the West, and coupled with the fact that the federal government is said to have changed the approach towards land use (*Militias in America*) it has become a serious issue for the Militia of Montana.

foundation for the right to exist is clearly a First Amendment issue, freedom of speech and freedom of assembly, as a private organization” (*Taking Aim*, 2, 3, 1995: 3).

Action directed to cause change. The use of the word ‘militia’ and the militia organization as a means of protest is directed to cause change through educational means. They state that “we, at the MOM are dedicated to ensuring that all Americans are educated to make an informed decision as to which direction America should go (*Preparedness Catalogue*: i). The rationale for protest is based on the idea that the militia can change governmental behaviour and influence policies. The objective of the Militia of Montana is to alter governmental output through the use of the militia, which is seen as a means of input. The stated objective is one of government reform, not abolition: “Without government and law enforcement we would have chaos and anarchy in this country... (*Taking Aim*, 2, 2, 1995: 5). Such government behaviour and policies were exemplified by Ruby Ridge and Waco: “one of the reasons, and if not the most important reason, for the advent of the militias across the United States is the stance that Americans have taken – ‘no more Weavers or Wacos (*Taking Aim*, 2, 1, 1995: 1). The Militia of Montana believe that the use of the militia as a political organization will affect change in a number of ways, and in particular, to affect how law enforcement behaves. By being activist and informed with citizens, they seek “to stop militarized actions against American citizens. We were not formed to stop lawful arrests...” (*Taking Aim*, 2, 9, 1995: 15). Part of this input is to be involved in lawful arrests: making sure that law enforcement behaves in a constitutional way, deescalating conflicts between citizens and government in order to prevent further incidents like Waco and Ruby Ridge:

One of the things that John does here at MOM...is cooling off hot spots in not only Montana, but across America...when we catch wind of a ‘hot spot’ we immediately contact the individuals and or organization involved who are in a confrontational state with law enforcement. After making contact with them, our standards policy is to also make contact with the law enforcement who would be involved in enforcing the laws these people would be contesting” (*Taking Aim*, 2, 1, 1995: 1).

The perceived role and objectives of the Militia of Montana as a political organization thus pertains to a civic duty, a sense of survivalism, and as an influential means of reforming governmental behaviour and policies. As a challenge against illegitimate authority, the Militia of Montana use the ‘militia’ as a means of protest.

Challenges institutional channels. The Militia of Montana use the ‘militia’ organization as extra institutional by the nature and function of the militia as an independent organization free from the control of government:

If the militia is independent and viable, then only laws which are right and just will come forth from the government, keeping the populace supportive and loyal to the government. Therefore, when the codes and statutes are unjust for the majority of the people, the people will rightly revolt, and the government will have to acquiesce without a shot being fired, because the militia stands vigilant in carrying out the will of the people in defense of rights, liberty and freedom (*MOM Information and Networking Manual*: 6).

Strategies and tactics

Through the use of the ‘militia’, the Militia of Montana frame their protest in terms of a conflict with government. The Value-Rational protest of the Militia of Montana involves specific strategies and tactics that are engineered to achieve legitimation. This section explores these strategies and tactics to understand how the MOM operate in the process of legitimacy, and attacks their opponents while seeking to legitimate themselves. The opponents of the Militia of Montana are identified as the politicians and bureaucrats in government, and the ideological apparatuses of the State, including the media, monitoring groups, and education.

To this end, the Militia of Montana have three strategies in the process of legitimation. Firstly, there is the strategy of taking the moral high ground, suggesting that they are above an immoral authority. By using this strategy, the Militia of Montana place themselves in a position to judge and attack illegitimate authority while simultaneously legitimating their own protest. Secondly, there is the strategy of ‘playing the victim’ or presenting the Militia of Montana as a scapegoat against illegitimate authority. This strategy is used to demonstrate the illegitimacy of the government that would unjustly persecute its own citizens for performing a ‘constitutional duty’. Thirdly, the Militia of Montana present their organization as a formidable threat against authority. As the protest is meant to involve intimidation, they must also demonstrate that they are able to be effective in exposing illegitimacy, and restoring values. The militia by nature is meant to threaten illegitimate authority.

'The Moral High Ground'

In taking the moral high ground, the Militia of Montana seek to legitimate themselves by being more 'rightful' than the authority they are attacking. In doing so, they demonstrate their legitimacy and ability to judge and evaluate authority as illegitimate. In fact, their protest is stated to be a "stand against evil" (*Taking Aim*, 1, 10, 1994: 13). Their challenge to authority is framed in terms of a moral conflict over values. The Value-Rational commitment of the Militia of Montana involves the tactics of using the moral high ground as the battleground. As John Trochmann says, "there is an enormous amount of moral and ideological high ground which has been abandoned by our foes. Claim it and use it" (*MOM Information and Networking Manual*: np). The strategy against opponents is to have a substantive commitment to moral values. John Trochmann also states that "the time has come to renew our commitment to high moral values and wrench the control of the government from the hands of the secular humanists and the self indulging special interest groups including private corporations" (*MOM Information and Networking Manual*: 17). The Militia ideal is one of the responsible citizen whose morals set standards of behaviour. The duty of the Militia of Montana is a moral one. As Frederick Bastiat said in 1884, the Militia of Montana believe that "moral duty to my fellow man requires us to call these facts to the attention of our fellow citizens" (*Taking Aim*, 2, 3, 1995: 4). As a means of legitimation, the Militia of Montana seek to elevate themselves above 'ordinary' Americans: "This country was founded upon the principles of responsible adults. Those in the patriot movement need to hold higher standards than the 'mainstream America' (*Taking Aim*, 2, 11, 1996: 7). To this end, they attack government and monitoring groups for their immorality as a tactic of delegitimation.

The Militia of Montana attack and counterattack the morality of their opponents in this conflict. Politicians and bureaucrats are attacked for 'immoral' behaviour, whether it is objectionable or even illegal. The Clinton administration is seen as the epitome of immorality, and is stated to be a reflection of what is going on in America, as examined earlier in the chapter.

The Militia of Montana also seek to place themselves above the monitoring groups. The Militia of Montana identify Morris Dees of the Southern Poverty Law Center as the instigator of their conflict with monitoring groups. The MOM have attacked the Southern Poverty Law Center as the "most immoral organization in the

country” (Trochmann Interview 1998). In one article, entitled “Morris Dees, A Fact Finding Report...Absolutely NO morals,” the MOM outline various immoral acts of Dees. The motivation of Dees is said to be money; and he is said to use people, especially the poor, for his own financial gain. The Militia of Montana have discovered that the SPLC “accrued over \$53 million in reserves in 1994 (*Taking Aim*, 2, 11, 1996: 3). According to John Trochmann, “I have his divorce papers and in those papers I have found a lot of discrepancies about tax papers and find out that they’re very wealthy and they have done that by standing on the shoulders of others and vilifying them, including myself” (Trochmann Interview 1998). The Militia of Montana further state that

We would also like to inform the American people that this non-profit organization (which has this discriminating, womanizing homosexual individual at the helm who’s only thought is how much more money he can bring in) mails tens of thousands of ‘educational’ packets to law enforcement, schools and civil groups across the nation per year. How can these people make an honest judgment concerning the citizens and organizations that Dees attacks when he himself is not morally fit to judge anybody (*Taking Aim*, 2, 11, 1996: 4).

Also, the MOM attack the Anti-Defamation League who were fined in court for “illegal intelligence gathering” (*Taking Aim*, 2, 6, 1995: 21). The MOM is attempting to expose the behaviour and policies of monitoring organizations as not only immoral and illegal, but that these groups are just another extension of law enforcement. In one article, they use Chomsky’s opinion of the ADL to delegitimize the organization: “In Necessary Illusions, Chomsky states ‘the ADL has virtually abandoned its earlier role as a civil rights organization...as the Israeli press casually describes it, engaged in surveillance, blacklisting, compilation of FBI-style files’” (*Taking Aim*, 2, 6, 1995: 21).

The tactic is to discredit the monitoring groups so that the Militia of Montana appear to be the victim of immoral organizations and of misinterpretation, especially against the claim that John Trochmann is racist or Anti-Semitic. The Militia of Montana try to take the moral high ground against claims that John Trochmann is racist and Anti-Semitic. His ‘one-time’ infamous speech at the Aryan Nations World Congress has been the most effective weapon against the Militia of Montana in delegitimizing the group as racist and anti-Semitic. John Trochmann says that regarding such ‘allegations’ “we normally do not respond” (*Taking Aim*, 1, 8, 1994: 2) because such a response would justify the claims of racism and anti-Semitism. However, while John Trochmann admits he spoke at the Aryan Nations compound

once, it was to criticize them, and to “speak about their immorality” (Trochmann Interview 1998). As he stated in one interview, “I’ve never had ties with them. I spoke there once...it was a speech about morality...I saw them teaching their young men to disrespect women. That’s the only time I spoke there” (*Taking Aim*, 1, 8, 1994: 3). He also said that “I’ve been to a dozen Human Rights Task Force meetings. Does that make me a member of them?...This is all just gossip. This country runs on gossip” (Trochmann Interview 1998). Gossip and rumour are presented as base tactics used against the Militia of Montana: “We are seeing a flooding of the market on the rumor mill at this time. This is being done in the hopes that we spend all of our time and resources tracking these down and/or discrediting everything that we do by spreading their mis/disinformation” (*Taking Aim*, 1, 3 1994: 9).

John Trochmann does feel the need to defend himself and his group from these attacks. He uses his lectures as an opportunity to proclaim his stand on the issue of racism and anti-Semitism. In one of his lectures he stated that “I probably have more black friends than all of you” (*America’s Judgements: Tips and Suggestions*, 1 March 1998). He also stated that like any organization in America, including that of government and law enforcement, they are going to have a cross section of America, including racists: “we attract a cross section of America, just like if you had a group [it] would attract [racists], just like law enforcement, and it is a constant problem for us, all the time, and I don’t think there is any group that is an exception, so it is something we have to deal with” (Trochmann Interview 1998).

The Militia of Montana use a strategy of morality because it underpins their use of the value system in claiming the loss of rightful authority. By having a moralistic tone, the Militia of Montana legitimate their advocacy of the value system that is seen as characterized by morals and principles. Further, the strategy attempts to show that anything immoral is likely to be defined as illegitimate, but not always illegal. When they are dealing with the Legal-Rational authority, which is perceived to be defined by the rule of law, they must use morality as a strategy that gives them an advantage. The moral high ground is a strategy which allows the Militia of Montana to elevate themselves above authority, which has lost its values, and it allows them to attack a whole range of behaviour that may not be illegal, but can be defined by the Militia of Montana as immoral. It is also a way of avoiding a discussion of religion while removing the extremist or fundamentalist connotations, while maintaining the religious basis for being moral individuals who are responsible to God.

'Playing the Victim'

The Militia of Montana also use a strategy of appearing to be the victim of illegitimate authority and of other opponents who support the State. They do this for several reasons. By 'playing the victim,' the Militia of Montana hope to gain sympathy and popularity from the populace who will see that they are Americans who are being treated unfairly, illegally, and illegitimately. A government that victimizes its own citizens and is shown to deal harshly with them will suffer a blow to its legitimacy. Playing the victim justifies the protest against authority, and legitimates the behaviour of the Militia of Montana who are 'only trying to defend themselves.' This justifies and legitimates their 'defensive posturing'.

The Militia of Montana present their group as victimized in several ways. Firstly, they state that those in power are trying to shut them down through various tactics that demonstrate that the government and its allies 'play dirty'. According to the MOM, this includes fracturing, or creating the appearance of fractures, within the militia movement and their group in particular: "the controllers of America have now decided that the militia/patriot movement can be no more. They have set upon a course to divide and conquer the movement in such a way that the movement itself will appear to have fractured from fighting within" (*Taking Aim*, 3, 1, 1996: 1). They further state that

We have now entered into another state in the battle for our freedom. The enemy has heightened its activities in trying to shut down the militias nationwide. They are doing this by causing seeds of discontent among the ranks. Also they have their agents out spreading malicious lies and rumors that militia organizations are hate groups and/or are dealing with illegal activities (*Taking Aim*, 1, 7, 1994: 14)

The government is said to be doing this by creating bogus militia groups or infiltrating others with the purpose of presenting false patriotism and fighting with other 'real' patriot groups: "how easy would it be for Socialists to form a front organization with a patriotic twist? Very easy" (*Taking Aim* 2, 6, 1995: 20). The reason the militia movement can be victimized, according to the Militia of Montana, is due to the 'passion' of the patriots: "the militia/patriot movement can easily be swayed because of the emotion and passion with which it displays and acts for the furtherance of the

cause, i.e. reestablishment of the Constitution as our founding fathers wrote and intended it to function, as chains upon the government” (*Taking Aim*, 2, 6, 1995: 19). They try to claim that it is the sincerity and intensity of the Militia of Montana that predisposes them to emotional appeals that can be used against them.

Secondly, the Militia of Montana claim the government, or law enforcement agencies, are framing militias with illegal and terroristic activities. In one article entitled “More Militia Setups Coming?” (*Taking Aim*, 3, 1, 1996: 13) they perceive that “in an alarming rate, criminal activity taking place around the country has been attempted to be blamed on the militia” (*Taking Aim*, 3, 1, 1996: 13). The MOM claim the government also orchestrated the Oklahoma City bombing in order to blame it on militias and shut down the movement.²⁵ One newsletter was said to have predicted the attack on militias before the bombing: “watch and you will see an increased amount of terroristic activities pick up here in America. Now, you watch, they will try and pin this on the militia/patriot movement (*Taking Aim*, 1, 2, 1995: 1). The MOM believe that the government is using the same tactic against the militia movement as the Branch Davidians and the Weaver family, in that they are being portrayed in a way that enables the government to kill them. To support the claim that they are being victimized and that they are not racist or anti-Semitic, *Taking Aim* contains various articles and testimonies from patriots within the movement. One *Taking Aim* article written by Carl F. Worden from the Southern Oregon Militia on the militia movement ended his article by saying

By the way, I am a Christian Jew and my American wife is of Mexican decent. Nothing in the militia movement ever had anything to do with racism or anti-Semitism. That was pure fiction created by the government to make it more palatable to the public for the government to kill us. They did the same thing to the Weavers in Idaho and the Branch Davidians in Waco, just before the killed them (*Taking Aim*, 4, 10, 1998: 13).

²⁵ The conspiracy theory concerning the Oklahoma City bombing espoused by the MOM includes evidence of a Ryder truck in an army barracks the day before the bombing, the theory that there was more than one bomb because of reports that “one of the office workers felt a tremor before the explosion and actually had time to crawl under his desk for cover” (*Taking Aim* 2, 2, 1995: 3) and a seismograph demonstrating two tremors (*Taking Aim*, 2, 2, 1995: 3). The Militia of Montana further believe that the harder their organization pushed for answers and evidence regarding the bombing, the faster they moved to demolish the building (Trochmann 1997). Other questions the Militia of Montana raise about the bombing which implicate the government were that all ADL employees were gone to a picnic, the heads of the CIA and secret service were moved out of their offices the day before”, (*Taking Aim*, 2, 2, 1995: 4) that paperwork on Whitewater and Waco were being stored in that building. Also, the Assistant Secretary of the Air force was killed in a plane crash, which just happened to be on the way to Oklahoma City with information on the bombing. MOM asks whether this was “just another government experiment” (*Taking Aim* 2, 2, 1995: 4) because “Tim McVeigh had a microchip planted in his buttocks while in the military” (*Taking Aim*, 2, 2, 1995: 4).

The fear of government also translates into an organizational structure. The Militia of Montana rationalize their organizational structure based on fears of infiltration and victimization by government agents. The organizational structure of a militia serves the needs of the protest in a conflict. To this end, the MOM promote the cell format in the organizational structures that they advocates. This is because members must “beware of all strangers...historically, resistance to tyrants has taken the form of small autonomous groups (cells) whose members know and trust one another from long experience” (*MOM Information and Networking Manual*: np). The Militia of Montana advise to “keep it simple, building from the bottom up, private cells and public meetings” (*MOM Information and Networking Manual*: np). The cell structure is based on the perception that they will be infiltrated, and they seek to make the militia movement impervious to such attacks. The MOM advocate a seven man cell format, composed of tiers of 7-person groups, so that “after three tiers of cells have been built those in the fourth tier will not know who is in the originating tier. This will allow security from infiltration and subterfuge” (*MOM Information and Networking Manual*: 24). They also advocate the ‘water concept’ of organizational structure originating with the Virginia Citizens Militia (*Taking Aim*, 3, 1, 1996: 13). In this way, the organization should symbolize three forms that water takes: solid (ice) liquid (water) and gas (vapor). The ‘solid’ is the general staff, a few local units and some key personnel. The solid aspect “provides the public perception so vital to the organization” (*Taking Aim*, 3, 1, 1996: 12). As liquid, “if you strike water it reforms its shape and allows your strike to pass through, likewise, pour water into a glass and it takes on the shape of the container. Thus are the local units of the militia organized” (*Taking Aim*, 3, 1, 1996: 12). The gas, or vapor should represent 84% of the group, and “water vapors cannot be seen or smelled by the effects are definitely noticable” (*Taking Aim*, 3, 1, 1996: 12). They say that with this structure, “the temperature is our surroundings” (*Taking Aim*, 3, 1, 1996: 13). What this means is that the actions taken against the movement dictates an organizational form it can take. Thus, “as the heat is turned up the solid will turn to liquid and the liquid to gas” (*Taking Aim*, 3, 1, 1996: 13). The MOM believe that this structure prevents the disintegration of the movement because the government

may be able to break the 1% that embodies the solid of the militia. They also may find majority of the liquid and attempt to contain it. But they will never get to the vapor. If need by some of the vapor may decide to turn to liquid and like wise some of the liquid may decide to turn into ice (*Taking Aim*, 3, 1, 1996: 13).

Thirdly, the government, and in particular, monitoring groups are shown to target militias and victimize them as extremists, or hate groups, without basis, according to the Militia of Montana. These “subversive organizations” (*Taking Aim*, 2, 6, 1995: 18) and “covert organizations” (*Taking Aim*, 2, 6, 1995: 18) who have alliances with government and law enforcement are also working to shut down militias. The MOM believe that

so-called ‘Human Rights Task Force’ organizations are popping up everywhere. They give their information to covert organizations such as the ADL, Southern Poverty Law, etc. who in turn provide it to and/or sell to Law Enforcement (*Taking Aim*, 2, 6, 1995: 18).

Monitoring groups are called “militia chasers” (*Taking Aim*, 4, 8, 1997: 6). They chase militias because of their own agenda, according to the Militia of Montana, and the militia movement is the latest victim. Monitoring groups are trying to blame them for problems that are not their fault: “Besides, all these things that we have in America, the problems – what did they do before the word militia was used? Who did they blame then?” (*Taking Aim*, 4, 8, 1997: 6) One Militia of Montana member defends the group against attacks by ‘playing the victim’: “Like the old Satan slayers, the new hatehunters are naively snooping around for PURE EVIL when they should be looking for alienation” (*Taking Aim*, 4, 8, 1997: 6). By stating they are ‘alienated’ from government, they demonstrate their protest is about fragmentation – it is a political or social effect of illegitimate government, and nothing else.

The Militia of Montana try to present their motivations and intentions as ‘honourable’. They believe that their intentions are misunderstood because of the ability of monitoring groups to disseminate their version of the truth and thus victimize militias:

Now the SPLC informs 6,600 law enforcement agencies a year bout people like us, yet they refuse to get it right. So we have gone to these law enforcement agencies and set the record straight...beside these influence our schools. 5,500 schools they met, and 22,000 teachers. They corrupt our young. They are a very

dangerous organization. They are the ones that are feeding most of this to the media, to law enforcement, to Capitol Hill... (Trochmann Interview 1998).

The MOM present themselves as victims of misinformation disseminated by monitoring groups aided by the media. The media are the “attack squads” (*Taking Aim*, 1, 8, 1994: 1) of the socialists, and are seen to be aligned with monitoring groups and government. The MOM feel that the media present militias and the Militia of Montana as stupid, and extremist, based on misinformation rather than facts. They believe that monitoring organizations are

sure that the violent doofus rednecks, instead of having any legitimate political complaints, are throwing bombs due to groundless hate and paranoia. How do people know these things about the hateful, paranoid bombchucking rednecks? The experts told them (*Taking Aim*, 1, 8, 1994: 6).

The media are seen by the Militia of Montana as a tool of government and of monitoring groups to “demonize” (*Taking Aim*, 2, 2, 1995: 9) the militia. The media are seen as incapable of understanding what the militia are challenging: “media turn to overzealous patriots or to the personality defects of leaders who have strayed from our noble commitments, but not to the institutional factors that determine the persistent and substantive content of these commitments” (*Taking Aim*, 2, 6, 1995: 10). The militia are just a scapegoat, and stories gloss over the real issue: the lack of value rationality, or the substantive commitments.

The negative portrayal of the militia movement and the Militia of Montana are said to be the result of control of the media: “of course, one of the tools the controllers are using is the media” (*Taking Aim*, 2, 1, 1996: 12). The media are perceived to be controlled by a secretive government and “soulless corporations” (*Taking Aim*, 4, 8, 1997: 3). Due to this control, and the belief that the media are trying to prevent their own delegitimation, the media portray the militia movement in a particular way that victimizes them:

Am I being paranoid? Why shouldn't I trust the mainstream media to give me the full militia story. Could it be that a hefty quotient of what's being labeled 'hate' literature...actually attacks corporate culture? Is the media possibly gun shy about the real issues because they're financially beholden to huge corporations and their advertisers? (*Taking Aim*, 4, 8, 1997: 6).

The Oklahoma City bombing demonstrated this control to the Militia of Montana: “One of the most amazing things we have witnessed here in the advent of the bombing is the way the press themselves are manipulated by those in government who would lead us into a one-world socialist society...” (*Taking Aim*, 2, 2, 1995: 15). The bombing was seen to be used to victimize the militia movement and the Militia of Montana: “the terrorist activity did take place and they are doing everything in their power, through their media tools, to pin this on the militia/patriot movement” (*Taking Aim*, 2, 2, 1995: 1). The way the bombing was portrayed was intended to victimize the militia movement and delegitimize them, by terrorizing the American public about militias. The MOM say that “by constantly poking you in the eyes with antiterrorism scaremongering, the major media practice their own brand of psychological terrorism. If you’ve been scared by any of these images, you’ve been terrorized (*Taking Aim*, 4, 8, 1997: 8). The portrayal of militias has consistently demonized them, according to the MOM: “The media and the press continue with their diatribe that these organizations are nothing but criminals and enemies of the public” (*Taking Aim*, 1996, 2, 11: 2).

The media has also been perceived to be used specifically against the Militia of Montana. They were particularly upset about a 20/20 report with Peter Jennings which targeted the Militia of Montana: “In this broadcast Jennings and his reporters would not let up on the “alleged” links between the prime suspects and the militia patriot movement (*Taking Aim*, 2, 2, 1995: 1). Jennings accused the Militia of Montana of calling for action based on one newsletter, but as they stated, “...Now you know and I know that nowhere in last months newsletter is there any indication or possible way to interpret as saying that we were ‘calling for action on April 19, 1995’” (*Taking Aim*, 2, 2, 1995: 2). In another case, Morris Dees used the media to delegitimize the Militia of Montana:

In a full-page ad in the New York Times on Sunday, April 7 1996, Dees placed a headline reading, ‘Expect More Bombs, Militia of Montana spokesman Bob Fletcher.’ This is criminal endangerment. A statement that was taken so out of context that we are consulting our attorney for appropriate legal action (*Taking Aim*, 3, 1, 1996: 14).

Part of the reason that the Militia of Montana feel they are victimized by the media is due to the way they perceive the media as operating. Editors are said to have their own agenda, and time constraints make it so “they are not able to spend the time

needed to actually read the materials they reference. What they do is scan the materials looking for key buzz words that would fit the slant of the story they are writing” (*Taking Aim*, 2, 2, 1995: 17). The reliance on buzz words means militia groups are portrayed in a way which delegitimizes them:

These ‘sensible’ polyethylene, TelePrompTed, Barbie-and Ken, TV, radio newspaper cyborgs dismiss militias with a raised eyebrow and a hearty chuckle, tossing out vague, unquantifiable words such as extremist, bizarre, and paranoid, ...the experts say its ‘unusual’ or ‘twisted’ or extremist but that’s all the explanation you get. It’s almost as if the existence of these allegations is just a crude affront to their well honed expertise, they deserve no factual retort (*Taking Aim*, 4, 8, 1997: 6).

The way the media sensationalize stories, according to the Militia of Montana, has caused the militia movement to be attacked by opponents:

We respectfully request that you rely upon your investigations steering clear of the media that takes this misinformation, rumor and gossip, sensationalize it to spin a tale until it grows out of proportion. Law enforcement, military and government law makers then pick up on it, believing in a literal ‘feeding frenzy’ of the press. The phenomenal growth of the patriot/militia movement is due in part to this folly” (*Taking Aim*, 2, 3, 1995: 8).

The strategy of the militia, then, is not to react to the attacks, and the victimization. John Trochmann believes in not reacting to ‘labels’, because “labels are nasty, aren’t they” (Trochmann Interview 1998). They suggested that in order to “help keep us out of trouble,” (*MOM Information and Networking Manual*: np), to

Recognize the media tactics. Do not react to buzz words: Religious Separatists; White Supremacists; Tax Protesters; cultists; bigots; Nazis and other words which the masses are conditioned to hate. After the media has demonized the target, as in Weaver and Waco, the government is free to murder as it chooses. We must create our own means of informing the masses to cause them to be sympathetic to our cause (learn to fish in friendly waters). We must be committed to spreading the truth, the whole truth and nothing but the truth. Endeavor always to send messages which will ring true in the ears of our countrymen (*MOM Information and Networking Manual*: np).

Thus, the Militia of Montana appear to perceive the legitimation process as a conflict, and they have identified the tactics used against them as ‘demonization’. They are using this knowledge to try and legitimate themselves, and present themselves as victims of misinformation and demonization. At the same time they

seek to show that they are being attacked illegitimately by the power and might of the State.

'Formidable Threat'

The Militia of Montana also try to present themselves as a formidable threat to illegitimate authority. The Militia of Montana claim a defensive posturing, not offensive. However, any threat appears mostly to be symbolic: the militia ideal is one of the effectiveness and success of militias in combating tyrannical authority, but this threat does not necessitate physical violence. Rather, the challenge to authority is a cultural and political battle, with the symbolic threat of force that a militia must display to return the government to legitimacy. This is not to say that militias may not resort to violence. However, the purpose of presenting a formidable threat is for legitimation, not as a tactic of using physical force, which is seen as illegitimate. The Militia of Montana are careful about advocating any use of force, symbolic or otherwise, because such threats are used to delegitimize them as transgressing the 'rules of the game'. Part of this strategy is to demonstrate that government does not intimidate them: "we must look the enemy in the eye. We can no longer hide – there is no more time" (*MOM Information and Networking Manual*: np).

The Militia of Montana, like other militias, base their legitimacy on their value rational commitment to fighting their enemies, foreign and domestic; they believe the ideal militia is one that is able to successfully combat a tyrannical government. They must at least create the perception that they are capable of success for legitimacy, because the justification for a militia is predicated on the ability to challenge government with the threat of force. While the historical American militia are seen as the best symbol of intimidation against a tyrannical authority, the militia of Montana also cite foreign examples to demonstrate that a militia can successfully combat a modern government or large standing army, including those in Finland, Afghanistan, Croatia, Bosnia, Switzerland, and Iraq (*MOM Information and Networking Manual*: 1).

The Militia of Montana give proclamations of the combating of government by themselves and other 'patriots'. The most often used proclamation is "we believe in the ballot box; we believe in the jury box. We will not give up the cartridge box, in the event the first two boxes do not work" (*Taking Aim*, 1, 8, 1994: 3). The Militia of

Montana discuss their conflict as one where the “day of reckoning is at hand” (*Taking Aim*, 1, 6, 1994: 6). They are “fed up,” (*Taking Aim*, 1, 6, 1994: 3) and with most articles they repeat the slogan “Enough is Enough” (*Taking Aim*, 1, 6, 1994: 3). A military organizational structure is also advocated by the Militia of Montana for militia ‘support groups’²⁶ or other militia organizations “because we are at war” (*MOM Information and Networking Manual*: 17). One *Taking Aim* article written by Carl F. Warden stated that government behaviour has led to the conflict, and that the government has “adopted an ‘us against them’ attitude. Our country never used to be like that. We want it back, and we are willing to fight if necessary to prevent any more injustices at the hands of what can only be described as jack booted government thugs” (*Taking Aim*, 4, 10, 1998: 13). Threatening proclamations are often delivered through other writers in the newsletter. Through this tactic, it appears that the Militia of Montana avoid taking direct responsibility for threats that could be interpreted as extreme. However, the fact that they choose to print threats at all is taken as intimidation. One anonymous letter printed in *Taking Aim* stated that “if you ever come to get our guns, we will oppose force with force!...more than 7 million have already prepared for civil war. Millions across this nation now believe that an armed struggle for freedom may be inevitable” (*Taking Aim*, 1, 6, 1994: 4). The name of the newsletter, “Taking Aim” while symbolic of the aiming their weapon (knowledge) to expose illegitimate government behaviour and policies, is also symbolic of the threat of the use of force.

Part of the strategy of being a formidable threat is to boast about the success of the group, and the militia movement, against authority. The Militia of Montana believe that they are only attacked when the enemy feels threatened or vulnerable: “We like to remember that when they are shooting at you, you are close to being on target” (*Taking Aim*, 1, 9, 1994: 5). Thus, any reaction to the Militia of Montana “tells us that the militias have been doing their job, and quite effectively at that. Why else would they wish to disintegrate it?” (*Taking Aim*, 3, 1, 1996: 13). The accusations against militias are explained in terms of the success of the movement: “why are all the arrows coming at us from so many directions? The only logical reason can be that we are making a serious effect against the bad guys of the New World Order” (*Taking Aim*, 2, 2, 1995: 16). Further...“The patriot community has made such an impact that the information and exposure must be stopped because we are damaging them. This is

²⁶ These are groups which support the Militia of Montana with intelligence information.

where the ADL, Morris Dees and the rest come into play” (*Taking Aim*, 2, 2, 1995: 17).

The Militia of Montana also proclaim that they can and will ‘win’. According to John Trochmann, “As Mark Koernke says, ‘God Bless the Republic, death to the New World Order, we shall prevail’” (*Taking Aim*, 1, 9, 1994: 12). In a *Taking Aim* article, one patriot asked, “Can we win? You bet we can win” (*Taking Aim*, 4, 10, 1998: 13). They also state that “the militia will not fail...The militia is gaining strength every day, with each new law the enemy within forces through congress” (*Taking Aim*, 1, 6, 1994: 11). The success of the Militia of Montana is seen in their ability to create momentum for the militia movement. According to the tactics in the *Art of War* by Sun Tzu, the Militia of Montana say

Roll rocks down a ten thousand foot mountain, and they cannot be stopped – this is because of the mountain, not the rocks. Get people to fight with the courage to win everytime, and the strong and weak unite – this is because of the momentum, not the individuals. You see, the Militia of Montana, along with other Real Patriot groups, have pushed the rocks off the top of the mountain and it is now a snowball effect that is too large to be stopped. The enemy may attempt to stop the Militia of Montana, but they cannot stop the rocks from falling down the mountain because of the momentum that they now have (*Taking Aim*, 1, 8, 1994: 3).

The Militia of Montana also state they have been effective in changing legislation and have been instrumental in the changes to the rules of engagement because of the siege at Jordan, Montana. As John Trochmann said, “If we can change Congress enough to rewrite the rules of engagement for the FBI, shame them so bad that they won’t do this again, I think we have made some progress” (Trochmann Interview 1998). According to John Trochmann, federal law enforcement “were very thankful when we helped push for a redefining of a job description in the FBI” (Trochmann Interview 1998).

The Militia of Montana also believe they are successful because they have been able to fight their opponents intellectually, and in the process convert ‘non-believers’ into supporting the militia. To this end, the Militia of Montana tell of stories where John Trochmann has participated on discussion panels, such as one at the Rocky Mountain Community College in Billings, Montana, October 5-7, 1995:

By the end of the discussion he had backed the AG [Attorney General] and the US attorney into corners they could not get out of. During the question/answer session John [Trochmann] received an ovation that would not

stop. The AG and US Attorney were squirming in their seats and definitely were visibly shaken by all of the support John was receiving. This was a definite step forward for the militia/patriot movement (*Taking Aim*, 2, 7, 1995: 2).

Also, John Trochmann participated in a panel discussion at Yale University on October 26, 1995 before the Yale University Political Union. This association was described as a forum where members “meet with the worlds most prominent social and political leaders of the day” (*Taking Aim*, 2, 7, 1995: 3). The invitation for John Trochmann to speak was seen as legitimation of the group and of the movement: “as you can see John [Trochmann] has been included as a leader in a movement which is causing both social and political change” (*Taking Aim*, 2, 7, 1995: 3). After John Trochmann spoke, according to the Militia of Montana, “over 75% stood in support of the militia” and because of John Trochmann, “the misconception the press has made of the militia (wild eyed, long haired, beer drinking maniacs with guns) has been totally wiped out, at least in this institution” (*Taking Aim*, 2, 7, 1995: 4). Using one of the most respected academic institutions, the Militia of Montana legitimate themselves through this story of success, where they are not only taken seriously, but appear to come out on top. A similar story is told in regards to the appearance on the Phil Donahue show, where the Militia of Montana were told by ‘an insider’ for the Phil Donahue show that “this was the first time in the history of the Phil Donahue Show (another first) that Phil ever had his own head served back to him on a platter” (*Taking Aim*, 1, 9, 1994: 5).

‘Mainstreaming’

The Militia of Montana adopt a strategy of appearing ‘mainstream’ in attempts to legitimate themselves. At the same time, they delegitimize their opponents by presenting them as extremist. When John Trochmann was asked what he would define as extremism, he said, “by looking at who is calling us that” (Trochmann Interview 1998). From John Trochmann’s position, extremism only exists in a conflict for legitimation. The Militia of Montana declare they are not extremists because they do not condone violence, illegal activities or behaviour, anti-Semitism, racism or terrorism. They declare that “the Militia of Montana does not advocate the breaking of any law” (*MOM Information and Networking Manual*: 6). Further, the MOM proclaim that the protest is one that concerns all Americans: “all Americans are

welcome within our ranks, if you believe in the Constitution, and if you wish to help free our nation. This is not a racial issue, every American has the right to defend the country” (*Taking Aim*, 1, 7, 1994: 10).

After the Oklahoma City bombing, the Militia of Montana printed the following statement: “We do not advocate violence or terrorism. We are strictly defensive in nature. We do not condone aggressive physical actions” (*Taking Aim*, 2, 2, 1995: 5). In a press release after the Oklahoma City bombing, the Militia of Montana stated that

The MOM, along with millions of other American patriots, condemns such acts of terrorism and violence. The militia of Montana is not only appalled at this act against ‘America’ but is also appalled that not only law enforcement but also some in the media would attempt to implicate American citizens who are concerned about America’s future tragedy...if there is anyone in the militia/patriot movement who has any information please contact your local authorities and/or the Militia of Montana at the above address or telephone number...the hearts of the innocent, especially the children, who perished in this tragedy cries out for your help in bringing the individual(s) responsible to justice – just as the innocent who perished at Mount Carmel (*Taking Aim*, 2, 2, 1995: 2).

By implication, the terrorists are those that were responsible for Waco (Mount Carmel), and they should be brought to justice, just like the terrorists of the Oklahoma City bombing, which are not the militias. They align themselves with the ‘millions of other American patriots’ and thus appear to be mainstream. Like any other American, they are horrified, which is used to combat portrayal of militia members by their opponents as heartless terrorists. Terrorism is rather seen as a “patriot’s worst nightmare” (*Taking Aim*, 2, 2, 1995: 1) because it is believed to be a tactic of government: “the term terrorism is a new term for American soil: why is it, that all of a sudden....why is it that they are connecting the patriot and Christian groups, with terrorists and the so called hate groups all over America?...they plan to use the terrorist fears in the future” (*Taking Aim*, 1, 7, 1994: 3). They further call on people to “Beware, the true terrorists are surfacing through the corrupted government that now wields the control in America!” (*Taking Aim*, 1, 7, 1994: 3). Federal law enforcement agents are compared to Nazis because they use “gestapo type tactics” (*Taking Aim*, 2, 11, 1996: 7) and are “jack booted thugs that kick your door in – well I don’t really see that much difference” (Trochmann Interview 1998).

Monitoring groups are also delegitimated as extremist. These groups are themselves presented as anti-democratic, and are stated to have “a very hidden agenda

to destroy the bedrock of America, and what an awesome job they are doing” (Trochmann Interview 1998). The monitoring groups, like government, are guilty of what they accuse the militias of:

They’ll paint the so called ‘hate groups’ as childishly superstitious for fearing an abusive, evil, dangerous government...but then the militia chasers reveal their own nursery school anxieties about the abusive, evil, dangerous militias. They accuse antigovernment agitants of paranoia, yet they spin around and claim that militias speak in coded phrases, have underground bunkers, and are secretly conspiring to take over the world and enslave minorities...they accuse the militias of conducting McCarthyite witchhunts, yet they praise groups that actively maintain thousands of database files on THEIR ideological enemies” (*Taking Aim*, 4, 8, 1997: 6).

Due to the belief that the media has presented the Militia of Montana and the militia movement as extremist, the tactic is to appear mainstream. For example, when John Trochmann was asked to appear on the Phil Donahue show, “Donahue’s producers also requested that everybody on stage wear military fatigues. We elected not to (the Michigan and Ohio representatives did) because we wanted to appear as mainstream America as possible” (*Taking Aim*, 1, 9, 1994: 4). The military fatigues have been associated with extremism and have left some groups to be open to ridicule. John Trochmann berated the Michigan militia for wearing fatigues on the show (Trochmann Interview 1998).

Another strategy of mainstreaming the Militia of Montana is to appear competent and intelligent, while seeking to delegitimize their opponents as incompetent and stupid. The rationale behind this strategy is that right wing extremists are seen as backward and stupid, or ‘rednecks’ who lack the education or intelligence that gives their protest credibility. John Trochmann declared in one newsletter that “I have studied and researched Constitutional Law for over 10 years. I have tested theories in the courts (*Taking Aim*, 2, 1, 1995: 1). The Militia of Montana, or John Trochmann in particular, appears to be sensitive to claims by their opponents that the Militia of Montana is composed of ‘doofus rednecks’ or individuals who are obsessed with conspiracies. To this end, John Trochmann’s lectures are always accompanied by an inordinate amount of ‘evidence’.²⁷ He not only purports to know about constitutional law, but the newsletters use academic theories as the basis of their

claims. The Militia of Montana seek to delegitimize their opponents as incompetent or 'stupid' because they have sought to delegitimize the Militia of Montana with misinformation. For example, with the media, John Trochmann states "What truly amazes me is that none of these journalists (who purport that they can write) can read (can they take that out of context?) I wouldn't want it to appear on Peter Jennings nightly news (*Taking Aim*, 2, 2, 1995: 2).

Another tactic in appearing to be mainstream is to portray themselves as 'responsible' adults. The Militia of Montana define themselves as a "giant neighbourhood watch" (*Taking Aim*, 2, 4, 1995: 2) to demonstrate their role and responsibility to the community. The militia ideal of the responsible citizen is used to demonstrate that they are not extremists who act destructively and violently. This responsibility involves cooperation, not conflict, as well as sympathy and understanding: "the number one thing to make sure these people understand is that we are responsible people. We know we need government and law enforcement" (*Taking Aim*, 2, 2, 1995: 5). They sympathize with law enforcement and portray themselves as reasonable towards law enforcement:

The patriot/militia movement cannot just write off all law enforcement as bad. You know how it feels when you are lumped into this group or that group. It is called stereotyping...we will work with law enforcement just as we work with American citizens. Why? Because they are American citizens too (*Taking Aim*, 2, 2, 1995: 16).

As law enforcement is perceived as a tool of the government, the Militia of Montana feel they must align themselves with individuals in law enforcement. Working with law enforcement is a means of cooperation as a tactic: "Besides winning over the public, we must win over the tools of the enemy. There are many good federal, state and local law enforcement officials who know that something is wrong" (*Taking Aim*, 2, 2, 1995: 16). This tactic is to get law enforcement on the side of the militia:

Our position has been, and will continue to be, that any American who is concerned for their nation, must be in contact with law enforcement at various levels. They also deserve the chance to learn and to decide for themselves which side they will be on. An American Republic as our Founding Fathers formed it? Or, communism, Leninist/Stalinist style of democracy? We have had many agents tell us, 'Remember we're Americans too! If the enemy has no tools with which to do their bidding, how can they win?' (*Taking Aim*, 2, 2, 1995: 16).

²⁷ This evidence includes photographs of UN military vehicles and equipment, newspaper articles, government documents which all demonstrate the move towards one world socialism, and the illegitimacy of authority.

In the interview with John Trochmann in which he identifies law enforcement with Nazis, he follows with the statement “Not that we don’t have friends in federal agencies – we have a lot of good friends in federal agencies, that don’t like the job description either...the FBI called us everyday during the Jordan siege” (Trochmann Interview 1998). John Trochmann constantly highlights his cooperation with law enforcement, especially in these ‘hot spots’ which develop.

The Militia of Montana attempt to apply the same tactic with the media. In fact, in one newsletter it is stated that

Many people in the media and all the reporters are having a real tough time watching...the editors chop up their articles and turn them into something they did not intend. We have a lot of reporters that are good people, that are on our side, that want America back too, but find themselves between a rock and a hard place, between the job and the street (Trochmann Interview 1998).

Another tactic in the strategy to appear ‘mainstream’ is to present themselves as ‘real’ or ‘normal’ Americans. Real Americans are true patriots rather than extremists. By presenting themselves in this way, the Militia of Montana attempts to delegitimize their opponents who would attack ‘real’ Americans. One article in the newsletter stated that “We speak not from the extreme fringe, but rather as responsible, working productive god fearing citizens who love their country and this Constitution” (*Taking Aim*, 1, 6, 1994: 4). The attempts to attack the Militia of Montana, and other militia groups as extremists are said to be “a strategic advantage on their part. They are attempting to discredit and make these real Americans look like fools who know nothing about government, thereby, losing the psychological legitimacy they now have to govern (*Taking Aim*, 2, 10, 1996: 6). As mainstream Americans, they care about the family, jobs, God,²⁸ and the economy, ‘just like everyone else’.

²⁸ The Militia of Montana perceive that religion is an example of extremism, as understood by the public and authority. What they seek to show is that they are only religious to the extent that religion is important to these god-fearing Americans, but not excessively so. John Trochmann avoids all discussions of religion. Any question asked during the interview which he perceived to have the slightest religious connotation was avoided or he refused to answer. He believes religion is what defines the extremists, and John stated that “In our end of the militia movement we don’t allow religion to be a part of it” (Trochmann Interview 1998). According to a *Taking Aim* article, he believes that Phil Donahue tried to trap him on religion: “one thing that Phil attempted to attack the militia on was that it was a religious (single doctrine) cause. This was immediately countered when one of our guys told Phil that this was not the case at all. This in fact that it was purely people who are genuinely concerned about their rights being taken away by an oppressive over bearing federal government. The only religious stance taken is that of our fore-fathers in that they were God fearing people (like us) who loved liberty over life. That ended the issue” (*Taking Aim*, 1, 9, 1994: 4).

As a militia, the Militia of Montana claim not only to represent the people, it claim that 'the people' are the militia, whether they accept it or not. In this way, the tactic of the Militia of Montana is to say it has no membership base: "we claim there is nothing to join, nothing to sign for, if you claim to be a citizen, it is your duty, to expose and correct, so we have no membership list" (Trochmann 1997). This serves the purpose of not only legitimating themselves as a symbol of the nation and nationalism, but of bypassing the evaluation of the group in terms of numbers, elevating it above rising or declining numbers which might affect the appearance of its legitimacy. Rather, the Militia of Montana is legitimate in this sense by virtue of being a militia, and citizens are shown to have a duty to support the militia. Instead of the public shunning the MOM the group can berate citizens for not supporting the militia as 'real' and 'patriotic' Americans should, according to their civic duties and obligations.

The Militia of Montana consider public perception of the movement important, because 'mainstream' is what the public identifies with. The Militia of Montana use 'mainstreaming' as a strategy to demonstrate that they are not 'extremists', which is seen as the most delegitimizing tactic. Thus, several observations can be made. Firstly, the target of these tactics and strategies with the objective of legitimating the Militia of Montana and delegitimizing authority is the public. However, it appears that the Militia of Montana only attack opponents that deny them legitimacy. They do not employ the tactics of delegitimation against those that accept them as legitimate political actors.

Secondly, the Militia of Montana employ a number of tactics that might appear incompatible. While they play the victim, they simultaneously try to be intimidating. While attempting to be mainstream, they also seek to be 'above the mainstream' and even revolutionary. While being extra-institutional they also claim to participate in conventional ways. While attacking their opponents, they also advocate cooperation. What does this mean? The nature of the organization, as well as the tactics and strategies, change for the intended audience. However, if this is the case, the Militia of Montana cannot ensure that the intended audience will only pay attention to the targeted tactics and strategies. This creates the appearance that the Militia of Montana do not have a clear objective or ideology. From the process of legitimation, it also appears that they are trying to create legitimacy with all targets. Some tactics are clearly for converting the public not yet involved in the movement: mainstreaming and

playing the victim are used to this end. It also appears that mainstreaming is for the government – to show the government that they are reasonable patriots, and the government should listen to their grievances. In saying so, the Militia of Montana are attempting to gain the approval of government even though it is attacked as illegitimate. The tactic of intimidation is rhetoric for the patriot audience.

The Militia of Montana appear to have another overriding objective: to create legitimacy for the group and the movement, as an end in itself. This appears to become a dangerous balance for the Militia of Montana: if they stray from their stated objectives they lose legitimacy. The process of legitimation demonstrates that conflicting parties become preoccupied with legitimation in itself: the movement then spends most of its efforts to prove its legitimacy through these tactics and strategies. The Militia of Montana appear to have become preoccupied with this, because without legitimation, no objectives can be achieved. These tactics and strategies are thus for creating the impression of legitimacy, but at the same time are attempts to focus on the reasons for protest in order to delegitimize authority. In the process of legitimation, the Militia of Montana have attempted to delegitimize authority and legitimate themselves while staying focused on the reasons for the protest.

Conclusion

From the analysis of the Militia of Montana as a case study, it has been shown that the political protest of the Militia of Montana challenge Legal-Rational authority through Value-Rationality. Legitimate authority is rightful and moral, which is distinguished from the present government as Legal-Rational. The Legal-Rational character of the state is thus perceived to be separate from the rightful basis of authority. The legal nature and character of the State is seen as a means of domination, where non-compliance takes the form of value rational behaviour and provides criteria for legitimate governmental authority.

The Militia of Montana convey the ideals of a militia in establishing their means of protest and claims their motivations are based on values. It is their job, duty and obligation to restore the values that the State has failed to preserve and maintain. Their motivations and oriented social action establish the criteria for legitimacy as

Value-Rational. To this end, the Militia of Montana evaluate the behaviour and policies of government as incongruent with the values of Americans.

The evaluation of government behaviour and policies as incongruent with the value system is based on perceived changes to the role of government caused by globalization. As a result of globalization, the Militia of Montana see the government defining its role as “to maintain public order”. This results in “police-state governments and ...no constitutional rights” (*Taking Aim*, 2, 11, 1995: 2). The Militia of Montana see the State as a totalitarian police state – exemplified by domestic reactions to citizens and global trends of UN influence and interdependence. The explanation of international influence and control, or alliances simply mirrors concerns that originated at home: the centralization of authority in an all-powerful, secret and seemingly untouchable government and the increasing powers of law enforcement as demonstrated by the militarization of police forces.

While the American government is seen as responsible for particular federal abuses and illegitimacy, the Militia of Montana appear to also explain this illegitimacy by finding external scapegoats who are outside the American value system. This is the way they explain Americans selling their own country out – because it is under the control of foreigners.

The government is itself is seen as being controlled behaviourally and psychologically, as a result of their Instrumentally-Rational motivations. The Militia of Montana evaluate their political system, both domestic and international, in terms of illegitimate power relationships. The Militia of Montana believe that interdependence has led to the domestic and international political system melding into one. As a result, these relationships are seen to reflect an international and domestic dynamic of illegitimate power which affects Americans and which seeks to control them. Based on these motivations, the relationship of the American government with others in the international political system allows corporations to control the government and jeopardize sovereignty.

This partial displacement of legitimacy indicates that the Militia of Montana do not believe that the lack of value expression is endemic to the structure of American government. Rather, government output is a result of bad behaviour and policies, which the Militia of Montana seek to influence with protest. The Militia of Montana emphasize their identity as ‘real Americans’ in order to be in a position to judge the loss of rightful authority based on American values. The legitimacy of the movement

appears to be predicated on the identification of the Militia of Montana with the nation, and 'the people', not the government.

CHAPTER FOUR

Michigan Militia Corps Case Studies Analysis

Introduction

This chapter will analyze the Michigan Militia Corps (MMC) as a case study, using primary resources,¹ and following the theoretical framework in chapter three. Firstly, the chapter will begin by examining the context of the emergence and nature of the movement in terms of the formation and background of the protest, the extremist style of thinking, and the approach to legitimacy. This serves as an introduction and the basis of understanding the background and the factors that characterize the Michigan Militia Corps in terms of their ideology.

Secondly, the way the Michigan Militia Corps evaluate Legal-Rational authority as illegitimate will be examined in terms of how instrumental motivations correspond to a Legal-Rational type of domination, where the type of control exercised over citizens and the relationships that this control characterizes is deemed illegitimate.

Thirdly, this chapter evaluates the way the Michigan Militia Corps challenge Legal-Rational authority through Value-Rationality. This Value-Rationality is where the Value-Rational social action of the Michigan Militia Corps corresponds to the criteria for legitimate authority in Value-Rational terms. This legitimacy is specified as the values of the political culture, and because the government does not follow these values, it is deemed illegitimate.

Fourthly, this section summarizes the way that the MMC attack authority through the value system for legitimacy, but it also specifies the specific tactics and strategies used in the process of legitimation. For the Michigan Militia Corps, these differ slightly from the Militia of Montana.

¹ As stated in the Introduction of this thesis, the primary resources used include an interview conducted with Tom Wayne, the Executive Officer of the Michigan Militia Corps and the MMC Weekly Update which is posted on the internet.

Context

The Michigan Militia Corps was formed in 1994 by Norm Olsen and Ray Southwell, apparently “following MOM’s example” (Hamilton 1996: 34) in forming a militia. From 1995, Lynn Jon VanHuizen became the Commander of the Michigan Militia Corps. Like the Militia of Montana, the Michigan Militia Corps state that their grievances pertain to big government and federal abuses: “Waco and Ruby ridge were blatant signs of the Federal Government’s wielding of unlimited power” (*Thanks for checking us out:* np). Whereas the Militia of Montana emphasized anger towards these abuses, the MMC use fear:

So the militias were formed specifically in 1993, 1994, after Ruby Ridge, because we saw a very scary trend going on. It [the militia movement] wasn’t built to take on the US government offensively. It is because the citizens were scared shitless. People were actually afraid. I was dealing with business men back then. Everyone was afraid. Oh my god, our government can burn people up like that? (Wayne 1999).

As well as issues of federal abuse, the Michigan Militia Corps were formed as a response to gun control legislation. The gun control debate for the MMC focuses on the constraint of values such as liberty and freedom; they justify the challenge to gun control through the right to keep and bear arms to fight tyranny: “George Washington said that firearms are the people’s liberty’s teeth.” (*Thanks for Checking us out:* np). These issues are said to be the reasons for the formation of the protest. The MMC responded to events by forming a militia.

The Michigan Militia Corps, like the Militia of Montana, uses a conspiracy style of thinking. The MMC also use the conspiracy regarding the New World Order and One World Government. This conspiracy identifies the manipulation of the few as “the CFR, the trilateralists, the bildbergers – these supposed groups that want a one world government. That is not what the Constitution is about...” (Wayne 1999). The Michigan Militia Corps also use the banking conspiracy in their protest. They focus on

the debt money system they believe was created by government in 1933 which has turned the American people into 'slaves.' They feel that the "banks want to control you. They own you..." (Wayne 1999). The MMCW also display a 'doomsday thinking' by focusing on issues of the 'Y2K' millennial fears and the need for crisis management and survivalism, and also the fears of society becoming like George Orwell's vision of the dystopia in *1984*. These conspiracies also indicate an excessive fear of bureaucracy and centralized authority represented by One World Government, and its bureaucracies of international organizations. This will be explained further on in the chapter.

Like the Militia of Montana, the MMC also espouse right wing radical ideology and themes. Firstly, the MMC fear democracy and romanticize the Republic. Secondly they fear that there is a breakdown in moral fibre in the nation and a loss of values that characterizes moral leadership. Thirdly, the Michigan Militia Corps is anti-Communist, and their conspiracy theories are related to the fear of communist, Russian, or socialist control and manipulation. Fourthly, there is also a perceived failure of foreign policy, which is connected to the conspiracies of external threats. Like the Militia of Montana, the MMC believe that foreign policy should be isolationist rather than interventionist. However, as well as being seen as 'extremist' or 'radical' in these terms, they also espouse conservative and libertarian themes and issues.

In terms of legitimate authority, the Michigan Militia Corps demonstrate that the perceived role of legitimate authority is to respect, preserve and maintain the values of the political culture. This is to be done by upholding the principles and values of the Constitution and Declaration of Independence which contain these American values. The nature and character of legitimate authority is one that is moral and rightful, based on the commitment to those values. It is stated in the newsletter that behaviour and policy should be judged according to the principle of "whether it will foster America's traditional values" (*MMC Weekly Update*, Volume 5, Number 42, 1998: np).

The Michigan Militia Corps, like the Militia of Montana, base their challenge to the legitimacy of the government on the evaluation of behaviour and policies that have led to the emergence of protest. The behaviour of federal law enforcement, and the policies pertaining to gun legislation, as well as other legislation, cause the

government to be perceived as illegitimate because of a loss of rightful authority. Like the Militia of Montana, the Michigan Militia Corps believe that the role and nature of government has changed so that they must return the government to the way it was in the past, when it was considered legitimate. The MMC thus evaluate legitimacy in terms of rightful authority, with the emphasis on values and principle of those in government, and the way this is reflected in its behaviour and policies.

Evaluating Legal-Rational Authority as Illegitimate

For the Michigan Militia Corps, the Instrumentally-Rational motivations of politicians and bureaucrats correspond to the type of domination exercised: Legal-Rational. These motivations are shown to be illegitimate because they are not oriented by values. This structure of domination and compliance is one of illegitimate relationships between the government and the people, and reflects these motivations.

Instrumental-Rationality and Relationships of Power

The Michigan Militia Corps see the role of modern authority as having been changed to that of law and order, and the nature and character of this authority as one of “regulatory despotism” (*MMC Weekly Update*, 5, 42, 1998: np) or “administrative despotism” (*MMC Weekly Update*, 5, 42, 1998: np). In this way, the MMC also perceive the nature and character of governmental authority, and the political system as Legal-Rational domination with bureaucratic administration and the concentration of power in the federal government. The problem is the bureaucratic nature of modern authority, and as one government official, Republican Ron Paul (Texas) is quoted as saying, the problem is “centralizing power and consistently expanding the role of the Government requires an army of bureaucrats and a taxing authority upon which a police state thrives” (*MMC Weekly Update*, 4, 7, 1997: np).

The structure of domination and compliance, as understood in Weberian terms, is one where the Instrumentally-Rational motivations and behaviour create a Legal-

Rational system of domination to reflect this structure of social action. The MMC perceive these motivations as illegitimate from their evaluation. They believe that the concerns of politicians and bureaucrats “are about power – how they can get more of it, how they can convince everyone they need it, and how they can keep it (*MMC Weekly Update*, 4, 42, 1997: np). As a result, the MMC believe that “elected officials are more interested in politics than morality” (*MMC Weekly Update*, 5, 10, 1998: np). Like the Militia of Montana’s vision of Statesmen, the MMC believe in “citizen legislators” (*MMC Weekly Update*, 5, 10, 1998: np) who serve the people and their country, not their own ends. The nature of these bureaucrats and politicians is perceived as Instrumentally-Rational, or self serving, being motivated not by values, principals and morals, but power and money. And in the case of bureaucrats, because they are unelected, they are seen as exercising power illegitimately.

The Michigan Militia Corps also feel that obedience should be given to role models, not to laws. Rightful authority is what should characterize the structure of domination and compliance:

The Founding Fathers believed a moral culture would teach each generation a good set of values to guide them into adulthood. That’s why they created a very loose framework of laws around a strong base of individual rights. Instead of laws to control behaviour, we have role models (*MMC Weekly Update*, 5, 9, 1998: np).

These role models are gone because government is controlled by politicians and bureaucrats who are characterized by greed and self interest, according to the MMC. Due to the perceived motivated behaviour of politicians and bureaucrats, government is seen as lacking moral authority:

Freedom and morality are partners. But this requires a cultural commitment to moral standards. What commitment is America willing to make when we see our ultimate role model, the president, laughing at moral standards and believing in nothing except instant self gratification...without morality, a government based upon freedom will fail (*MMC Weekly Update*, 5, 9, 1998: np).

This cultural or substantive commitment to moral standards establishes the criteria for legitimacy as Value-Rational. Moral authority is where the values of the leaders reflect those of the people, and there is a commitment to the ideals and destiny of the nation, emulating the identity of Americans. However, as the newsletter states,

We were told by the media and political pundits in 1992 that the morality of Bill Clinton had nothing to do with his ability to govern. This of course, is total nonsense. While the morals (and spiritual life) of our leaders may (unfortunately) reflect the values of the people, these morals do have consequences in the life and destiny of a nation and the actions of its government. This is especially true of America which was, (and still is) dedicated as "One Nation, under God" (*MMC Weekly Update*, 3, 30, 1996: np).

The motivations of politicians and bureaucrats are seen to conflict with these criteria, and such motivations are indicative of bureaucracy: "Where does this contentiousness come from? It comes from within the bowels of the unelected bureaucrats: not identifiable, not removable..." (*MMC Weekly Update*, 5, 42, 1998: np). Politicians are self-serving, and bureaucrats have no accountability or commitment to anything but themselves. Because of this, politicians and bureaucrats are seen as destroying values and the American way of life: "when Washington worships our money more than our freedom...something's seriously wrong in paradise" (*MMC Weekly Update*, 5, 25, 1998: np). The motivations are indicative of the kind of system of domination that is regarded as illegitimate. The next section will examine the perceptions of the political system based on these motivations.

In terms of administrative or regulatory despotism, the Michigan Militia Corps is reacting to the bureaucratic administration and legal nature of the State, which is defined by its Legal-Rational character and role. As they say, "de Toqueville felt the key to preventing administrative despotism was maintaining and recognizing the fundamental differences between centralized government and a centralized administration of that government" (*MMC Weekly Update*, 5, 42, 1998: np).

Centralized administration allows politicians and bureaucrats to have an "unfunded mandate" (*MMC Weekly Update*, 5, 42, 1998: np) which causes them to act illegitimately over the people, the states and the counties:

With the modern advent of the unfunded mandate, the overzealous bureaucrats, of coercive federal court orders and of the blackmail of states and localities through the attachment of strings to the granting of federal funds, the federal government circumvents all the protections that we thought were in place against administrative despotism” (*MMC Weekly Update*, 5, 42, 1998: np).

The political system they perceive is one where this administrative despotism is equated with control of people – illegitimate domination and forced compliance. Like the Militia of Montana, the political system and the relationship with government is also understood by the MMC as control in terms of illegitimate power arrangements between the people and the government. This is discussed in several ways. Firstly, the MMC discuss these types of relationships in terms of being “responsible adults” (*MMC Weekly Update*, 5, 40, 1998: np) who do not need government control. In this way, they discuss their relationship with government as that of a child and parent. For example, the MMC state that “Americans have the right to do stupid things, as our politicians demonstrate for us on a daily basis. What is at issue here is whether we wish for our government to treat us as responsible adults or as child like wards of the ever encroaching Nanny State” (*MMC Weekly Update*, 5, 40, 1998: np). The government is seen to assume an illegitimate parental role and control of the ‘children’: “if we are adults, then we have the capacity to control our will even in the face of passion and to be responsible for the exercise of our natural rights. If we are only children, then all the particularly dangerous toys must be controlled by the government” (*MMC Weekly Update*, 28, 10, 1998: np). Rather, the MMC believe that “the federal government itself is the child of the armed citizen. We the people are the parent of the child we call government” (*Is the Citizen Militia Lawful?*: np).

Secondly, like the Militia of Montana, the Michigan Militia Corps also compare the illegitimate relationship of the people and the government to an employee and employer; a role that government needs to perpetuate through control:

Now here is the thing. Absolute power corrupts absolutely. It’s human nature. If I give you a job, and I don’t care what it is, and all of a sudden I make you a supervisor, well you are going to want more and more power...the same way government is a creature that can feed upon itself, and if you don’t need government, than they don’t have a job. So what they are going to do is

that they are going to create situations to make you feel that you are needed (Wayne 1999).

The MMC believe that this control fosters an “employer” attitude in government, but Tom Wayne believes that “they should not be in control. Aren’t we the employers? They are the employees – they are supposed to be there to protect our rights, not take them away” (Wayne 1999).

Thirdly, the Michigan Militia Corps also compare the relationship of the people and the government to a slave or servant to a master. The people are the master and the government the servant as defined by the Constitution: “since the Constitution is the limiting document upon the government, the government cannot become greater than the granting power, that is the servant cannot become greater than his master” (*Is the Citizen Militia Lawful?*: np) The MMC also believe that “we are all slaves to the federal government who pass laws at a whim. And it is scary to the average person” (Wayne 1999).

Fourthly, the MMC also describe the illegitimate domination and relationship with the people as one where citizens are treated as subjects of Imperial domination: “we, like the great nations which have come and gone before us, have sunk to the level of empire. And you, friend, are no free man or woman, but just another subject...” (*MMC Weekly Update*, 5, 5, 1998: np). According to the MMC then, when a government believes it has an empire, and demands obedience of the American people as ‘subjects’, that government has lost legitimacy. They quote a retired Republican representative, Malcolm Wallop, who states that when a government treats citizens as subjects, this is indicative of illegitimate power:

I am talking about a government corrupted by power. I am saying that the government has no sense of accountability or responsibility, and that the government of the US actually views us, not as its citizens, but its subjects. It has completely lost...sight of the premise that the federal government derives its power from the states and from the people, and not the reverse (*MMC Weekly Update*, 5, 42, 1998: np).

Legal-Rational Domination and Control

The explanation of domination and control for the MMC focuses on the centralization of authority in the modern state. Power is seen to have been shifted from the people to centralized authority, as reflected by the way Americans, according to the MMC, are treated: “society has changed so dramatically that ordinary citizens cannot be trusted to make complex decisions themselves. Since citizens cannot be relied on to make enlightened and responsible decisions federal government has to determine the proper course for its citizens” (*MMC Weekly Update*, 5, 42, 1998: np). Modern society, where control is exercised in an illegitimate way is constantly referred to in terms of Orwell’s vision of a dictatorial system of control in *1984* is what Erich Fromm defines as a “negative utopia” (Fromm 1961: 260). The American political system and the nature and character of authority consists of lost ideals and values – a dystopia which is depicted by “the completely bureaucratized society, in which man is a number and loses all sense of individuality” (Fromm 1961: 260). Also, in this modern society “ideological and psychological manipulation” (Fromm 1961: 260) and various means of behavioural control are employed. Like the Militia of Montana, the Michigan Militia Corps identify this control as Socialist or Communist, which are seen as the “social engineers” (Wayne 1999) of control.

Firstly, the Michigan Militia Corps discuss brainwashing and the means of controlling Americans: “again, this may seem strange to most people, who have no idea how widespread such things have been for years in the United States, and before that in programs under the communists in China, where brainwashing originated” (*MMC Weekly Update*, 4, 2, 1997: np). This technique is seen by the MMC as un-American, or communist, and is used for the socialization of socialist values, as most starkly demonstrated by the brainwashing of children: “parents are horrified to realize that the brainwashing extends to their children” (*MMC Weekly Update*, 3, 35, 1996: np). The MMC seem particularly concerned with education and the teaching of values to American children, which has been replaced with brainwashing. They have various articles about “Brave New Schools” (*MMC Weekly Update*, 3, 18, 1996: np) and “Orwellian education” (*MMC Weekly Update*, 3, 17, 1996: np). The psychological

manipulation of school children is discussed by one author as the elimination of morality through the promotion of incorrect values by the educational system, which is seen as another bureaucracy: “they want to generate a Lord of the Flies mentality, where the kids absorb more of their values from their peers than from their parents” (*MMC Weekly Update*, 6, 6, 1997: np). The MMC believe that the education system is the strongest means of mind control: “our children are prisoners of the U.S. educational system. It’s time for us to lose the chains of government control and breakdown the bars of false teaching. Get informed and involved” (*MMC Weekly Update*, 3, 28, 1996: np).

The Michigan Militia Corps describe the political system and the nature and character of authority in terms of a small group controlling others through wealth. To this end, they believe that

Nowadays, although more and more of us understand the fact that we live, not in a democracy (as we were taught in school) but under a plutocracy, most still suffer from what Richard Grossman and Ward Morehouse call the ‘colonization of our minds’, the corollary of which is the ‘TINA’ (There is No Alternative) phenomenon. The fact is, there are alternatives to this ever more disintegrative ‘way of life’. But in order to change this society...each one of us must transform our own conditioned thinking from that of a programmed consumer into a liberated citizen (*MMC Weekly Update*, 4, 20, 1997: np).

Various legislation also demonstrates to the Michigan Militia that this type of control is intended for Americans. For example, one of the most often used examples is the Anti-Smoking legislation. The MMC ponder

If it is legitimate for government to control what we put into our bodies, one has to wonder why it isn’t even more important for government to control what goes into our minds. If we can’t be trusted to consume sensibly, how can we be trusted to think the right thoughts, read the right literature, attend the right movies and plays, and vote for the right political candidates? Its an awfully slippery slope (*MMC Weekly Update*, 5, 40, 1998: np).

Of policies regarding land ownership, one writer states, “If this scenario sounds like an Orwellian plot, too unbelievable to be true, realize that while the American people have busied themselves in the essentials of raising their families, our politicians in

Washington have literally ‘given away the farm’” (*MMC Weekly Update*, 3, 29, 1996: np). Further, gun control legislation is equated with people control and a false utopia:

Don’t be deceived, these people, including Clinton, who want firearms out of the hand of you and I, could not care less about our safety and well being....some are so out of touch with reality that they believe if only guns could be eliminated this would be the utopia they dream of. The rest are megalomaniacs who use the emotions ego and dreams of others to gain absolute control over every man, women and child in this nation for their own profit. These last few are fully aware that this cannot be accomplished while ‘we the people’ still have the means to defend ourselves (*MMC Weekly Update*, 4, 19, 1997: np).

‘Big brother’ legislation - through surveillance and monitoring which is used to control Americans psychologically as well as behaviourally, is discussed in terms of Orwell and illegitimate control:

Who is the FBI tracking with their Orwellian type surveillance and roving wiretaps? Historically, the popular targets were residents whose political or speech associations were perceived by the FBI as threatening the status quo...(*MMC Weekly Update*, 5, 42, 1998: np).

The fears of surveillance and the invasion of privacy are seen as contrary to the freedom of Americans, but a practice of the Clinton administration:

The Clinton Gore administration’s policies on encryption and on digital phone technology will have the effect of hardwiring Big Brother into the information age’ declares Donald Haines, the ACLU’s national legislative counsel on privacy and cyberspace (*MMC Weekly Update*, 4, 25, 1997: np).

To the Michigan Militia Corps, modern authority is equipped with the technological means of control. For example, in one article, they cite examples of surveillance used to monitor Americans, including “video camera surveillance in public places” (*MMC Weekly Update*, 5, 36, 1998: np) and “electronic eavesdropping on computers, phones and faxes”, (*MMC Weekly Update*, 5, 36, 1998: np) as well as the “physical surveillance of homes” (*MMC Weekly Update*, 5, 36, 1998: np). Further, they discuss computer held information on law abiding citizens and innocent Americans, like “computerized files on each adult American compiled from credit

card, banking and tax records” (*MMC Weekly Update*, 4, 12, 1997: np). One example used is computerized student files, where

A computer profile will be inputted for every student, and it will contain an awesome array of personal and private family information. These data will be available to the school, the government, and prospective employers. That doesn’t sound like a free America! It sounds like George Orwell’s 1984 (*MMC Weekly Update*, 4, 12, 1997: np).

Electronically stored information like social security numbers, is also used illegitimately to exercise power. For example, with the “use of social security numbers to extract all kinds of information on Americans from business, banking and government data bases” (*MMC Weekly Update*, 5, 36, 1998: np). They also discuss internal passports, which equates government administration with

efficient watchdogs that prevented any emergence of freedom, required an army of bureaucrats fortified by a Gestapo, KGB, plus the ability to commandeer an unlimited supply of paper and file folders. Technology has now made the task of building personal files on every citizen, and tracking our actions and movements, just as easy as logging onto the Internet (*MMC Weekly Update*, 5, 40, 1998: np).

The “push for smart card national identification for all U.S. citizens” (*MMC Weekly Update*, 5, 36, 1998, np) is also indicative of this control. The greatest fear is the implementation of computerized banking:

But the greatest privacy destroying system of all, one which would have made Big Brothers, Adolf Hitler’s, Mao’s, Lenin’s or Stalin’s mouths water is the elimination of cash and the forcing of all citizens into the computerized banking system...ultimately these transactions can be monitored, recorded, profiled and used in people control. If all of your personal transactions can be so tracked, a socialist government bent on identifying, profiling and controlling its politically incorrect citizens or religious fanatics, or Bible believing Christians, gun owners, critics of the government, non tax compliers, can easily scrutinize and build a profile on such individuals (*MMC Weekly Update*, 5, 36, 1998: np).

According to Donald McAlvny, editor of *The Economic and Geopolitical Newsletter*, “if all financial transactions are forced through an electronic banking system...the ultimate people control system could be established” (*MMC Weekly Update*, 5, 36,

1998: np). Legislation which allows information on individuals to be kept is seen as contrary to American values, and as an international trend. McAlvany says “privacy is a major element of freedom, without which people and nations cannot remain free. Today we have dozens of privacy destroying systems being put in place all over the world” (*MMC Weekly Update*, 5, 36, 1998: np). The International trend is one where nations cooperate in order to achieve control:

The EU in cooperation with the FBI of the USA is launching a system of global surveillance of communications to combat ‘serious crime’ and protect ‘national security,’ but to do this they are creating a system which can monitor everyone and everything. The EU will be able to trawl the airwaves for ‘subversive’ thoughts and ‘dissident’ views and, with its partners, across the globe (*MMC Weekly Update*, 4, 21, 1997: np).

Legal-Rational Authority and Socialism

The nature of control is explained in the context of a ‘Socialist Police-State’ and internationalism. The international system, like the national system, is seen to have lost rightful authority in the modern world. The United Nations is discussed as “a body rooted in socialist economics and occult spirituality, trusting that a united world and its collective wisdom will transcend human tendencies towards tyranny, they plan to guide the masses into a new age of peace and oneness” (*MMC Weekly Update*, 3, 18, 1996: np). International law is international control. The MMC discuss a statement by Rhodes Scholar Walt Whitman Rostow, (and who is said to be on the conspiratorial Council of Foreign Relations), who said in 1960 that

Urgent imperatives ‘argue strongly for movement in the direction of federalized world organization under effective international law’ and for effective international control of military power. The real world problem, said Rostow, is ‘national sovereignty’ and ‘it is therefore an American interest to see an end to nationhood as it has been historically defined’ (*MMC Weekly Update*, 4, 34, 1996: np).

Like the Militia of Montana, the Michigan Militia Corps feel that the use of the American military for global law enforcement is a method of control, and a subversion

of American values. They discuss the Habitat II conference in Istanbul, where the discussed objectives would be that

In effect, the UN, as an outside agent with no immediate stake in the US, will be stepping into our homes as a type of global governor. And with no accountability to American Citizens! In the name of 'global cooperation' and 'peace', every principle of our nation's constitution is being violated (*MMC Weekly Update*, 3, 27, 1996: np).

The involvement with the United Nations peacekeeping forces is seen as being under the control of a multi-national corporation rather than as fighting for the nation, where the United Nations is defined as a multi-national corporation because it is run by economic interests:

We are now the policeman of the world. In 1962 they passed a law which would totally disarm the United States. And we would eventually be part of a multi national organization – they did not say specifically what – with other troops from other countries going around and policing the world. Well, I took an oath to the Constitution, not to Kosovo (Wayne 1999).

The entire international system is seen to reflect economic motivations and interests, not values. It is through international organizations like the United Nations, and multi-national corporations that people are controlled. The MMC support this belief by quoting an academic, David Korten who states that

Economic globalization deepens the dependence of localities on detached global institutions that concentrate power, colonize local resources and share little in local success or failure,' says David Korten. 'What is actually happening is a growing mutual dependence of people and localities on global corporations and financial markets' (*MMC Weekly Update*, 4, 7, 1997: np).

Challenging Legal-Rational Authority

The Michigan Militia Corps evaluate the structure of domination and compliance Legal-Rational domination. As a result, their non-compliance is an example of Value-Rationality. This means that their oriented social action is based on Value-Rational motivations, contrary to the Instrumentally-Rational motivations of politicians and bureaucrats. These Value-Rational motivations establish the criteria for rightful authority as the adherence by government to the values of the political system, and this is demonstrated by the failure of the government to respect, preserve and maintain these values as demonstrated in governmental output.

Value-Rational Social Action:

The Michigan Militia Corps challenge Legal-Rationality through Value-Rationality. The motivation for non-compliance stems from the loss of rightful authority:

Whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new Government, laying its foundations on such principles, and organizing its powers in such form, as to them shall seem most likely to effect better safety and happiness (*MMC Weekly Update*, 5, 42, 1998: np).

The MMC demonstrate Value-Rational motivations through the emphasis on, and orientation to values in challenging government in terms of 'duty' and 'responsibility'. Social action motivated in this way is behaviour that is undertaken regardless of the costs. This duty and obligation is one of morality, justice and preservation of the 'American way', which includes challenging tyranny with the force of arms:

It is the business of every citizen to preserve justice in his heart...to resist tyranny. These things constitute our character as a free people, which it is our duty to maintain. And to fulfill our duty to be such a people we shall have to return to the humble subjection to the authority of true moral principle that characterized our founders, and that characterized every generation of Americans, until now (*MMC Weekly Update*, 5, 28, 1998: np).

This 'duty' to protest is the Value-Rational imperative upon which they base their protest:

If we make the judgment that our rights are being systematically violated, we have not merely the right, but the duty to resist and overthrow the power responsible. That duty requires that we always maintain the material capacity to resist tyranny, if necessary, something that is very hard to do if the government has all the weapons. A strong case can be made, therefore that it is a fundamental DUTY of the free citizen to keep and bear arms (*MMC Weekly Update*, 5, 28, 1998: np).

The responsibility to obey only moral authority is encapsulated in the character of the militia in the Second Amendment. The MMC use the militia to "recapture the noble view of man as capable of moral responsibility and self restraint, of assuming responsibility for governing himself. This is the real meaning of the Second Amendment, and indeed the entire American project of ordered liberty" (*MMC Weekly Update*, 5, 28, 1998: np). It is the militia that embraces a moral responsibility and duty – Value-Rational motivated social action that should be mirrored by government. However, the public officials have not kept to their oaths.

Like the Militia of Montana, the Michigan Militia Corps equate the militia with a structure of domination and compliance in which obedience is guaranteed by rightful authority where citizens must only

...submit to the moral order that God has decreed must govern our lives. And just as we have no right to shirk our duty to submit to that moral order, so we have no right to shirk our duty to preserve unto ourselves the material means to discipline our government...The preservation of the 2nd Amendment rights, for the right reasons, is a moral and public duty of every citizen (*MMC Weekly Update*, 5, 28, 1998: np).

Part of this duty is to have an awareness of values and principles as contained in the Constitution, as defined by the ideal of the militia and their civic duty, which includes disobedience to immoral authority. Thus, the emphasis of their Value-Rationality is disobedience of legal authority when it is opposed to moral authority:

Each of us is duty bound to read and understand our Constitution. If we do that we will realize Washington has little or no moral authority. Its authority rests mostly on intimidation and the force of Arms. And like the founders, we should adopt the attitude that ‘there is one thing in the world more wicked than the desire to command, and that is the will to obey’ (*MMC Weekly Update*, 5, 24, 1998: np).

The responsibility to disobey moral authority is with the individual, who relies on their conscience, according to the MMC. This choice is one between obeying one’s conscience or obeying the law. Due to perceived costs, this disobedience is presented in what could be termed Value-Rational motivations:

Slowly but surely, liberty minded Americans are increasingly faced with the dilemma of either obeying their moral consciences or obeying the law. It’s a hard decision because doing what’s moral and exercising ones natural rights can lead to fines, loss of property, imprisonment and possibly death at the hands of agents of congress....but most of my heroes are those men brave enough to risk all and opt for the more moral. We’ll be celebrating some of these men on July 4. But unfortunately, Americans will give our Founders’ values and sacrifices lip service, not commitment (*MMC Weekly Update*, 4, 37, 1997: np).

Like the Militia of Montana, the Michigan Militia Corps perceive that the contemporary legislative despotism which characterizes government is unconstitutional, and turns patriots like the MMC into ‘outlaws’. Quoting James Madison, they state that “it will be of little avail to the people that the laws are made by men of their own choice if the laws be so voluminous that they cannot be read, or so incoherent that they cannot be understood...” (*Frequently Asked Questions: Why a Militia in these Modern Times?: np*). The MMC think that obedience in the current structure of Legal-Rational domination is not possible because of the volume of regulations and laws. They state that

In fact, unelected federal bureaucrats now write so much law that on average, it totals 70,000 pages of small print in the Federal register annually. And because ignorance of the law is not an acceptable defense, this is law that all Americans are required to know and obey. Clearly the federal regulatory bureaucracy is out of hand (*Frequently Asked Questions: Why A Militia in these Modern Times?: np*).

In indicating that they cannot be obedient within this structure, they establish the criteria for protest as Value-Rational action which challenges positive laws which are the product of Legal-Rational authority.

The Michigan Militia Corps challenge the Legal-Rational control through the concept of the militia, which is seen as encapsulating Value-Rationality. The militia is defined not in legal terms, but in Value-Rational terms of Natural Law which makes it independent and free from government control. The militia as a means of extra-institutional protest based on Natural Law is used to challenge the legitimacy of control. Like the Militia of Montana, the MMC perceive the emergence of militias to be a 'natural occurrence' which arises when tyranny exists: "how can the citizen militia be controlled? In simplest terms, it cannot be. It is the natural occurrence of the people who gather to defend against a perceived threat" (*Is the Citizen Militia Lawful?*: np). The Michigan Militia Corps maintain that the historical militia preceded the creation of the government, and therefore cannot be subject to government control: "neither the citizens militia nor the citizens' private arsenal can be an appropriate subject for federal legislation or regulation. It was the armed militia of the American colonies whose own efforts ultimately led to the establishment of the United States of America!" (*Is the Citizen Militia Lawful?*: np). The MMC emphasize that the existence of a militia is a natural right. Where the National Guard is "solely the creation of statutory law", (*Is the Citizen Militia Lawful?*: np) the "militia derives its existence from the inherent inalienable rights of man which existed before the Constitution and whose importance [is] such that they merited specific recognition in that document" (*Is the Citizen Militia Lawful?*: np). Because of this,

There is no possible way that the Governor of this state or the Chief Executive of the United States or any legislative body can 'outlaw' the citizens' militia, for to do so would rob inherent power from the people and thereby transform the limited Constitutional Republic to a government controlled state (*Is the Citizen Militia Lawful?*, np).

This form of oriented social action establishes the criteria for legitimacy. This disobedience and the criteria for non-compliance to Legal-Rational authority also

establish the criteria for legitimacy as Value-Rational legitimacy, as the expression of beliefs, symbols and rules.

Value-Rational Legitimacy

The Michigan Militia Corps, like the Militia of Montana, demonstrate the criteria for the legitimacy of government is the political culture as a value system. The MMC state that “we believe wholeheartedly in the values enshrined in the Constitution for the United States of America, the Declaration of Independence, the Bill of Rights and the Constitution of Michigan and the application of these values equally...” (*Michigan Militia Corps Resources: Information on the MMC*: np). Through exposing the government’s behavior and policies in these terms, the MMC challenge governmental output. In the process of doing so, they attempt to delegitimize authority by showing that government does not reflect or express these values in output.

Beliefs

The political culture contains the belief values of Lockean Liberalism, Natural Law, Conservatism and Liberalism, Americanism and Nationalism. Legitimacy is contingent on the adherence to these belief values. However, the Michigan Militia Corps demonstrate that the government is not adhering to the belief values by supporting “ideas that are alien to America” (*MMC Weekly Update*, 6, 6, 1999: np) or acting in ways that reject American beliefs and principles through governmental policies and behaviour.

Lockean Liberalism

Firstly, the value of Lockean Liberalism is shown to be lacking from governmental output of behaviour and policies. The value of ‘rights’ and the emphasis on the individual is highlighted by the MMC as having been repudiated by government. In particular, the values associated with individual rights are not being

expressed. This is due to the ‘Socialist way’ of government which the Michigan Militia claim “oppresses our unalienable personal rights to life, liberty and property. Therefore, we should not allow Socialism to exist in any form in the United States” (*MMC Weekly Update*, 5, 39, 1998: np). Individual and property rights (*MMC Weekly Update*, 4, 42, 1997: np) are seen as not valued by government, nor is the value of freedom and liberty free from government encroachment:

I cannot recall a time in the history of America when individual rights and the sovereignty of U.S. territory have been more under attack or in question than they are now except as pertains to individuals immediately preceding the Revolutionary War...endless direct and indirect assaults on individual privacy and property rights, and the giveaway of sovereignty over domestic lands by this Administration. Americans are frustrated at what amounts to cannibalism. Whatever happened to the Constitution and the Bill of Rights? (*MMC Weekly Update*, 4, 42, 1997: np).

Rather, the government perverts the notion of rights altogether. The Michigan Militia Corps express opposition to the proliferation of regulations which confuses the idea of individual rights:

There are so many things described as rights that the meaning of the word has been totally corrupted...Few Americans no longer know the difference between procedural rights, civil rights and our unalienable rights and liberties (*Frequently Asked Questions: why a militia in these modern times?: np*).

For the MMC, individual rights and liberties are seen as perverted by group rights promoted by liberals, when the government should protect “your personal freedom not the group rights the liberals and the establishment media try to push, but our individual rights and liberties” (*Frequently Asked Questions: why a militia in these modern times?: np*).

Natural Law

Secondly, the Michigan Militia Corps believe that Natural Law is not emulated in government policies and behaviour. The United States Constitution is defined as a

product of Natural Law thinking, whereas the UN Charter is one of legal positivism: “Whereas the U.S. Constitution is rooted in the traditional...divine law and Natural Law, the UN Charter is based in the framework of positivist legal theory which vertically guarantees unrestrained, despotic government” (*MMC Weekly Update*, 3, 34, 1996: np). The government is seen as neglecting the Constitution and adhering to positivist legal theory, which is characteristic of the centralized nature of the United Nations. Further, like the Militia of Montana, the MMC characterize inalienable rights as “unalienable” rights to highlight the distinction between rights which stem from external sources to authority and therefore cannot be removed by authority, and legal rights which the government can remove. Also, the removal of gun ownership rights is seen as a contravention of Natural Law, as is the outlawing of militias.

Conservatism and Liberalism

Thirdly, Conservatism as a belief value is being subverted by Liberalism. The Michigan Militia Corps, unlike the Militia of Montana, directly attack Liberalism. The government is seen as emulating Liberalism rather than Conservatism as a belief value, and the MMC attribute this to the illegitimacy of governmental output. The Clinton administration is identified as liberal and therefore, produces a liberal policy output. Liberalism is defined by the MMC as the character of control through the administrative despotism of bureaucracy and legislation:

Liberalism has to do with the fact that you and I are not capable of running our own lives. There's another word that has changed over the years...Conservative means that you do not have to pass the law because we are responsible people and we should be responsible for our own lives. A liberal says, 'no, you can't do that - you need help. And we the government need to help run your life, so we need to give you rules to go by.' That's what a liberal is (Wayne 1999).

The issue of responsibility is used to demonstrate the ‘hypocrisy’ of liberals: “accepting responsibility for ones own actions is, in a nutshell, exactly what the liberals among us are loath to accept” (*Frequently Asked Questions: why a militia in these modern times?:* np). Liberalism is equated with socialism, which in turn is also

identified as characteristic of a bureaucratic State. The Michigan Militia quote Norman Thomas, who is stated to have been “the US socialist Presidential candidate”, said “the American people will never knowingly adopt socialism. But under the name of Liberalism they will adopt every fragment of the Socialist program, until one day America will be a socialist nation, without knowing how it happened” (*MMC Weekly Update*, 4, 46, 1997: np). By identifying the regime as liberal, the lack of moral authority can be attributed to Liberalism. In Orwellian ‘newspeak’, when the government says something is “a matter of principle”, the MMC say it means “a political controversy involving the conviction of liberals” (*MMC Weekly Update*, 5, 29, 1998: np).

The Michigan Militia Corps see education policy as the starkest example of liberal values being taught to children. As a result of their education, American children are seen as learning the wrong values, and failing to learn things “because of the focus on fashionable left liberal subjects like the environment” (*MMC Weekly Update*, 5, 19, 1998: np). Liberal education policy is even blamed for the violence in schools. For example, the school shootings in Oregon: “that’s right, liberals are responsible for this attack, as well as a series of others which have been occurring recently at the nations public schools” (*MMC Weekly Update*, 5, 19, 1998: np) because of the approach to education which does not teach “the difference between right and wrong” (*MMC Weekly Update*, 5, 19, 1998: np).

Not only is the lack of Conservatism challenged, but like the Militia of Montana, the Michigan Militia Corps also state that both values are being neglected equally, by the dominance of ‘corporatism’. The issue, they state, is not one of liberal or conservative, democrat or republican. Rather, “big business is the real enemy of freedom and democracy” (*MMC Weekly Update*, 4, 45, 1997: np). They relate the issue of big business to corporations and money power in government, as the Militia of Montana does. They even reprint the same article on Trans-national corporations that states that “the US Constitution is not being sold out by UN loving liberals, it is being sold out by TNC political influence” (*MMC Weekly Update*, 4, 45, 1997: np). The MMC perceive the problem as being both Republicans and Democrats, or Conservatives and Liberals. In this way they believe that “bankrupting the nation and

selling out sovereignty have been bipartisan affair” (*MMC Weekly Update*, 4, 45, 1997: np). Money is seen to obliterate both of these ideologies as belief values, and like the Militia of Montana, the MMC point to the lack of these belief values, whether in conflict or not. “It is time for ‘liberals’ and ‘conservatives’ to wake up to the fact that they BOTH share the same primary goals: restoring the constitution, reasserting national sovereignty, rebuilding the economy, and ending the special interest influence that has gotten us into this mess...” (*MMC Weekly Update*, 4, 45, 1997: np).

Americanism

Fourthly, the belief value of Americanism is seen as absent from government policies and behaviour. In particular, foreign policy is meant to reflect the belief value of Americanism, emulating the principles and values of security, the substantive commitment to fighting enemies, by setting an example for the world through moral authority.

The Michigan Militia Corps, like the Militia of Montana, criticize government for not demonstrating a commitment and adherence to the belief value of Americanism in foreign and military policy. American government is seen as cooperating with foreign enemy nations that are gaining strength at the expense of America. Foreign policy on China is seen as the foremost example of this type of governmental output, and China is seen as the biggest threat to the American nation. The “Clinton administration has actively assisted communist China in its expansionist goals...this assistance has relegated the national security interests of the US and American lives, to secondary importance” (*MMC Weekly Update*, 5, 17, 1998: np). Cooperation with China is seen as a policy of the Clinton administration where trade and exports threaten the security and sovereignty of the American people. The Clinton administration is reported by the MMC to have jeopardized security by selling supercomputers to China, as well as having “let loose highly sensitive encryption technology that gives China the capability of decoding some of our own satellite transmission” (*MMC Weekly Update*, 5, 18, 1998: np), and relaxing export

restrictions, “clearing the way for the communist regime in Beijing to develop an incredible arsenal” (*MMC Weekly Update*, 5, 18, 1998: np).

Also, like the Militia of Montana, the Michigan Militia Corps see the government as ignorant or unaware of the political implications of this cooperation. The Michigan Militia Corps claim that the Cold War is not over:

If you think China really loves us? Hell No! You think Russia loves us? Didn't we just go through a Cold War that we still have and everyone thinks it's the end of it - no. We have a lot of enemies in this world. And part if it is based upon a demagoguery in the State department... (Wayne 1999).

This ‘demagoguery’ is based on the motivations of those in government to serve their own ends at the expense of the American people. This belief that America cooperates with or aids the enemies that threaten America demonstrates that these policies do not promote the security of the American citizen, according to the MMC. American foreign policy is seen as antagonizing nations and creating enemies: “American soldiers were deployed in more than half the countries on the globe – 100 of the worlds 197 nations. Add to that the dozens of nations that receive American foreign aid or military equipment, and you have a situation where fully three quarters of the world has reason to be angry at us” (*MMC Weekly Update*, 5, 29, 1998: np).

The American military has been facing enemies armed by the American government because of foreign and military policy towards other nations: “most of our nations military encounters over the past decade, whether anti terrorist strikes, conventional warfare, or peacekeeping missions, have been against enemies the American government armed or trained” (*MMC Weekly Update*, 5, 29, 1998: np). For example, “...in Panama, Iraq, Somalia and Haiti, they faced forces on the other side that had received US weapons, training or military technology” (*MMC Weekly Update*, 5, 30, 1998: np). For the MMC, Americanism means focusing on enemies and having a cold war mentality of recognizing the enemies of America and behaving appropriately towards those enemies. Instead, the government is seen as cooperating with dangerous enemies and as trying to solve the world's problems as a police force instead of solving its own problems.

The loss of Americanism as a belief value is seen by the Michigan Militia Corps as a lack of respect and fear of the American nation by other nations, and this attitude is rewarded by the government: “nobody fears us anymore...nobody respects us... The word has gotten out. If you want the United States to treat you well, behave badly” (*MMC Weekly Update*, 5, 18, 1998: np). Americanism is not only the ability to evoke fear and intimidation, but to serve as a role model for the world, to be envied. This should be shown by the behaviour and policies of government at home and abroad. In one article entitled “What happened to the American Dream?” (*MMC Weekly Update*, 4, 4, 1997: np) it is stated that

Our reputation abroad has plummeted in direct relation to problems on the home front. According to former Education Secretary William Bennett, we boast ‘more murders, violent crime, juvenile crime, abortion, single parent families, divorce, pornography, and the consumption of drugs than any other industrialized country. What happened to America the beautiful? How have we fallen so far? (*MMC Weekly Update*, 4, 4, 1997: np).

The Michigan Militia Corps advocate Americanism through high moral values and standards: “yes America, ...our nation became the best in the world by setting high standards. We will stay there only by keeping high standards” (*MMC Weekly Update*, 5, 9, 1998: np). The loss of these standards is blamed on Clinton. Tom Wayne says,

I just detest this individual, because he has made the whole United States look stupid. I am sure you have seen that, and other countries say – God, that’s your leader? But you see he reflects what our society has become. He is the product of our society. In other words, we elected this yo-yo (Wayne, 1999).

The Michigan Militia Corps state that the Constitution laid the guidelines for moral authority, and because it is not followed, Americanism has not been upheld:

Did the founding fathers fail us? Was their attempt to create a Constitution that would allow America to become the most free, the most prosperous, the most envied nation on earth a failure? Indeed not. The facts are that America did indeed become all of these things. The facts are that America continued to enjoy all of these blessings until we strayed from the guidelines that they gave us (*MMC Weekly Update*, 4, 46, 1998: np).

For legitimate government, the MMC advocate a return to the Constitution and its guidelines to return America to greatness. Further, by highlighting the internal and external enemies of America, they legitimate themselves through their version of Americanism – where they not only expose the enemies, but the enemy being exposed is the government itself. Further, by purporting to be able to defend the ‘united States’ and provide the needed security, the MMC express Americanism.

Nationalism

Fifthly, the Michigan Militia Corps also believe that the belief value of nationalism is not followed by the government because of internationalist policies and behaviour. Whereas the MMC advocate sovereignty and self-determination of the people through their local communities and the individual states in the union, the government advocates centralized authority in the federal government and world government. Like the Militia of Montana, the Michigan Militia Corps believe that governmental output expresses internationalism because of globalization, as evidenced by the move towards one world government. This entails involvement in organizations like the United Nations. As Tom Wayne says, “the U.N. Charter is diametrically opposed, or opposite of the United States Constitution” (Wayne 1999). The MMC perceive that government adherence to foreign constitutions and participation in treaties that do not emulate American values and principles is seen to cause the destruction of nationalism and sovereignty.

The cause of this move towards internationalism has been attributed to globalization and the end of the cold war, which has created the opportunity for the ‘globalists’ to move America towards interdependence: “the demise of the Soviet Union system has permitted astounding advances for the promoters of internationalism” (*MMC Weekly Update*, 4, 7, 1997: np). The United Nations represents the concentration of power in a centralized body, which has caused American government to not protect the value of sovereignty. A One World Government is part of the same phenomenon of centralization of federal authority: “centralization of power affected our own laws. We simply want local government with little interference by a ‘we know what’s best for

you' federal or global government" (*Thanks for checking us out*: np). Thus, the MMC challenge internationalist policies and behaviour: "the federal government has no authority to erode United States sovereignty. According to the Constitution, all sovereignty, all authority, other than those delegated in the carefully delineated enumerated powers, remains vested in the people, not the federal government, and certainly not with the United Nations" (*MMC Weekly Update*, 4, 35, 1997: np).

Interdependence is defined as the loss of American values and the perceived loss of identity that the nation engenders:

We used to have a nation. The nation is built by the people within that nation, based upon their own values etc, and no other nation would be able to walk in and tell them what to do. But you see we become interdependent upon the rest of the world, and globalism is one world government. Global economy means one world government. When you understand the hidden meanings...(Wayne, 1999).

The MMC quote scholars and journalists who are seen as predicting the demise of the nation and nationhood in terms of the modern international environment. Strobe Talbot, who wrote an article in *Time*, says that

Here is one optimists reasons for believing unity will prevail over disunity, integration over disintegration. In fact, I'll bet that within the next hundred years (I'm giving the world time for setbacks)...nationhood as we know it will be obsolete; all states will recognize a single, global authority. A phrase briefly fashionable in the mid 20th Century "citizen of the world" will have assumed real meaning by the end of the 21st century (*MMC Weekly Update*, 4, 32, 1997: np).

Internationalist policies are seen as failing to preserve the values of nationalism, and the Michigan Militia Corps state that "newly elected members of congress should be learning that internationalist think tanks are not capable of providing the basic principles of populism and nationalism outlined in the Constitution and its legislative history" (*MMC Weekly Update*, 3, 34, 1996: np). International agreements and treaties, and the involvement in international organizations require allegiance to another governmental body. Internationalist policies also jeopardize sovereignty, for

example, those which pertain to foreign aid involve the United States in New World Order and international organizations and treaties:

The march toward internationalism endorses both unilateral and multilateral use of foreign aid. Now we find bipartisan agreement on three legs upon which the New World Order stand: the World Bank, the IMF, and the newly created World Trade Organization. Many believe we are rushing toward the dream of the 20th century internationalists who earnestly seek a single world government (*MMC Weekly Update*, 4, 7, 1997: np).

The Michigan Militia Corps believe that the government lies about its internationalist motivations: “do you remember the congress critters assuring the citizenry that neither NAFTA nor GATT would affect our sovereignty (as a nation). Yeah, right ” (Wayne 1999). One particular treaty they discuss at length is the Biodiversity treaty, which they say “would permit an undefined and unaccountable global bureaucracy to regulate all human activity that presents potential harms to biological diversity” (*MMC Weekly Update*, 4, 29, 1997: np). With this treaty, the UN controls American land, which was “arranged in secret without public input” (*MMC Weekly Update*, 4, 29, 1997: np). The MMC believe that

The federal government bound itself to international agreements stipulating that the United States would manage these lands according to international dictates in order to achieve certain international goals and objectives. In other words, the U.S. has agreed to limit its rights of sovereignty over these lands by deferring to international mandates (*MMC Weekly Update*, 4, 29, 1997: np).

The MMC believe the answer is to withdraw from the United Nations. They quote a journalist, John F. McManus, who said that UN reform was not the answer, and that “the only course for America is to withdraw before national sovereignty has been completely swallowed up” (*MMC Weekly Update*, 3, 29, 1996: np).

Multinational corporations are also seen as seeking to erode sovereignty because national values impede business:

Well, if I live in a country that has customs and certain laws, why should I have somebody else’s laws interfere with my country? Japanese people have 3000 years on us in terms of civilization, and they value honor and so on, but now I am going to have someone else come in from another

country and say, 'well, we are going to change your laws, we don't like this idea of honesty, so we are going to set up some merchant laws and rules.' Baloney! Now see the Multi national companies have suggested this for some time. They want to get rid of borders (Wayne 1999).

Tom Wayne believes that the American government transferred power to corporations in the 1980s because they were seen as the 'saviour', but the motivation was to eliminate nationalism:

All of a sudden corporations were the savior of the country, and then we found out what corporations really had planned to eliminate our borders, and that national sovereignty is a by product of the past. And it is no good, in order to do it for the all mighty dollar (Wayne 1999).

Internationalist policies also include the military involvement with the United Nations. The use of the United States Military in the United Nations is seen as destroying nationalism:

It should be patently obvious to anyone who cares to pay attention that when a government forces its people to pay for military missions not sanctioned by Congress, to force its soldiers to wear uniforms not approved by Congress, to participate in military actions not sanctioned by Congress, and to base all of its foreign policy decision on prior approval of another governing entity, the issue of sovereignty is no longer valid. Instead, the transition has already taken place and it becomes more important to figure out how to reverse this destruction of nationalism (*MMC Weekly Update*, 4, 42, 1997: np).

Like the Militia of Montana, the Michigan Militia Corps perceive that the conversion of the military into a global police force is the most effective method of removing American sovereignty and national identity: "world government of course, would necessitate world wide force – unprecedented power on a global scale. Make no mistake about it, that is what the advocates of an empowered United Nations are really after" (*MMC Weekly Update*, 3, 34, 1996: np). The advocacy of international law, as part of the nature and character of American government, is seen as a ploy to overcome sovereignty, which is an impediment to effective global governance. Global governance is understood as the loss of American values: Global governance, as

described in the recommendations of the Commission on Global governance, “would be a catastrophic act of violence resulting in the loss of national sovereignty, property rights, individual freedom, and all hope of achieving personal prosperity” (*MMC Weekly Update*, 3, 2, 1996: np).

The Michigan Militia Corps equate sovereignty with nationalism, and the power of the people, both at the international and national level. To this end, they say that “the whole point is that we want the sovereignty of the nation, and we should respect the sovereignty of other nations” (Wayne 1999). They want an international environment that reigned during the Cold War, where sovereignty existed and protected the nation from enemies. They identified with the nation in these terms.

Thus, the MMC challenge internationalism through self-determination and sovereignty. They believe that government should be from the bottom up. The vertical identification, like that of the Militia of Montana, starts with legitimacy from the grassroots. The more centralized power is, the less they identify the authority as legitimate. The emphasis on the horizontal relationship between the people excludes the federal government. The MMC identify with the nation, but legitimate authority which recognizes the importance of ‘we the people’, is the state and local government. Whereas the Militia of Montana is a self-declared county movement, the Michigan Militia Corps focus on the Tenth Amendment and state’s rights in challenging the loss of sovereignty and nationhood. The Tenth Amendment to the MMC means “we the people” – the nation - where power is vested.

We were very much a part of, as well as other people, of the 10th Amendment movement in the United States. Michigan was one of six states who passed it. And what it says is those powers not granted to the federal government are reserved to the States or to the people. I mean aren’t ‘we the people’ the government? (Wayne 1999).

The Tenth Amendment to the Michigan Militia Corps “is the foundation of federalism, a system for foiling the tendency of central governments to amass authority at the expense of freedom” (*MMC Weekly Update*, 5, 23, 1998: np). Self-governance is advocated through identification with the state of Michigan rather than the federal government.

To this end, Tom Wayne says that he identifies himself as an American, through the nation, and as a “resident of Michigan” - the identification with the state (Wayne 1999). He does not identify himself as a citizen, for citizenship is a legal concept which serves to identify a citizen with a State as a legal administration and national government. Thus, citizenship is perceived to legitimate national authority: “Am I an American citizen? I haven’t seen any proof to prove that I am. Show me? There really is no such thing, and the Fourteenth Amendment² did not say that...” (Wayne 1999). The MMC also reject the identification with the Nation-State, which Tom Wayne equates with democracy: “a democracy is a Nation-State. A Nation-State is not created by the people, it is a higher form of government that suggests with social engineers that you and I are not capable of running our own life, we need guidelines to help, and that is why these laws are passed for whatever reasons” (Wayne 1999). The Nation-State as a ‘higher form of government’ is rejected because it is a part of the State and a form of rule that they treat as illegitimate. Rather, the highest form of legitimate government is the individual state governments, which are considered to be like foreign nations in relation to the federal government and to the rest of the nation-state in terms of laws, not values.

In essence, the ‘several states of the Union’ are foreign and sovereign countries, with different laws, etc. This is why people living in Kansas are not subject to the laws of Texas, and vice versa. In fact, further research indicates that the ‘several states of the Union’ are foreign to the United States, and the federal government (*MMC Weekly Update*, 4, 12, 1997: np).

In this way, the Michigan Militia Corps demonstrate the belief in legitimate authority below the level of federal government. The emphasis on the family exemplifies the parochial identification of the MMC. To legitimate the militia movement in terms of nationalism, the MMC has been extremely active in advocating the Tenth Amendment. In 1994 their efforts were said to be an integral part of passing

² The Fourteenth Amendment to the Constitution states that “All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of laws” (U.S. Constitution, Amend. 14, Section One.)

the “Tenth Amendment resolution in the State of Michigan” (Wayne 1999). They also believe that the Tenth Amendment defines the boundaries of federal power, and the objective is to

Take back the state sovereignty, and give it back to the states as they had it prior to 1933, and we would automatically limit the federal government from Washington DC back to what it was originally intended to be. A limited government. Now it is in your everyday life. Period. Just watch congress everyday, and all the laws they are trying to pass. It’s just nuts. they have no right to tell the states what to do. It is supposed to be the reverse – the states tell them what to do (Wayne 1999).

The Michigan Militia Corps use the Tenth Amendment as an argument for the sovereignty of the people through local and state authority. They seek to express their efforts in terms of nationalism, and thereby create a sense of community. Further, they seek to reestablish legitimate authority through the identification with the local community and the state. The MMC “would like to see a return to constitutional federal government” (*Meet the Commander*: np) and “would like to see the states regain their sovereignty and see local self government” (*Meet the Commander*: np). These lower levels of government are seen as the means to achieve self governance:

May we all be inspired with gobs of creativity and enthusiasm, to carry us forward in our collective endeavor to reestablish a form of self governance, and a manifestation of we the sovereign people, that was begun on this continent over 200 years ago when those people were inspired by the democratic forms of participatory governance... (*MMC Weekly Update*, 4, 20, 1997: np).

Symbols

As discussed throughout the chapter, the Michigan Militia Corps have used symbols when discussing belief values, and to demonstrate that the symbols themselves are values which are essential criteria for legitimate governmental authority. The MMC seek to demonstrate that the government does not interpret or use the symbols of the American culture and thus does not value them. They do this

by expressing those symbols and showing how there is a lack of respect and attention to these symbols.

While almost anything can be used as a symbol, the MMC use particular categories to delegitimize authority. Firstly, they use certain documents as symbols, such as the Constitution. The Constitution is believed to be a sacred document that symbolizes a higher authority. As David Crockett, “Alamo hero” said, “the Constitution, to be worth anything, must be held sacred, and rigidly observed in all its provisions” (*MMC Weekly Update*, 5, 9, 1998: np). The Constitution is a symbol of legitimacy in granting limited power, not just rights: “many today, I suspect, think that the Constitution is what allows people to burn flags and dance naked in bars. In fact, the Founding Fathers had a rather more serious purpose in mind” (*MMC Weekly Update*, 5, 37, 1998: np). Moreover, it is a revolutionary symbol used to legitimate Value-Rational protest against authority, having been “written in blood” (Wayne 1999). The Bill of Rights is also detailed by the Michigan Militia Corps as a symbol of rights. The Declaration of Independence is also used as a symbol, and it “contains the values of Natural Law, inalienable rights, the nation...” (*MMC Weekly Update*, 4, 34, 1997: np).

Secondly, the Michigan Militia Corps use the Founding Fathers and other men of ‘righteous authority’ as symbols of the American nation. They are the symbols of American independence and revolution with which the MMC equate their protest. They make declarations about the Founding Fathers, using them to express their dissent. In fact, it is almost as though everything that the MMC protest is interpreted through the symbol of the Founding Fathers. For example, when policies or behaviour are rejected as illegitimate, the Michigan Militia make comments such as “the Founding Fathers would of course, protest” (*MMC Weekly Update*, 4, 32, 1997: np). In response to law enforcement, they state that “the founders of this country never envisioned a federal police force” (*MMC Weekly Update*, 4, 34, 1997: np). In relation to the political system and electoral participation, one article comments that “the framers of the Constitution never envisioned or anticipated the emergence of ‘professional politicians’ and the elite two party system” (*MMC Weekly Update*, 4, 46, 1997: np). The Founding Fathers are conveyed by the MMC to be ‘turning in their

graves.’ They are used to show how far the country has strayed from their original intentions, especially in regards to the Second Amendment. The MMC use the argument of the standing army to legitimate the militia: “our forefathers were very afraid of a standing army, very afraid of debt money, and very afraid of a theocracy, because they had seen this with England” (Wayne 1999).

The Founding Fathers or the framers are seen as the epitome of Value-Rationality, having risked their lives for the nation:

Five signers were captured by the British traitors and tortured before they died. Twelve had their homes ransacked and burned. Two lost their sons in the Revolutionary army, and another had two sons captured. Nine of the 56 fought and died from wounds or the hardships of the Revolutionary War. They signed and they pledged their lives, their fortunes and their sacred honor...but they signed the Declaration of Independence knowing full well that the penalty would be death if they were captured... (*MMC Weekly Update*, 4, 22, 1997: np).

The Michigan Militia Corps see the Founding Fathers as rightful authority because they “believed a moral culture would teach each generation a good set of values to guide them into adulthood” (*MMC Weekly Update*, 5, 9, 1998: np). This is contrasted with the politicians and bureaucrats of today’s government, who need these role models, according to the Militia of Montana. It is suggested that junior Congresspeople “read Federalist papers” (*MMC Weekly Update*, 3, 36, 1996: np) and that “the notes taken by James Madison at the constitutional convention of 1787 and the ratifying documents explaining why the states approved the Constitution are a good place to start” (*MMC Weekly Update*, 3, 36, 1996: np). They also quote Thomas Paine, who said “We fight not to enslave, but to set a country free, and to make room upon the earth for honest men to live in” (*MMC Weekly Update*, 3, 24, 1996: np). These symbols of righteous authority are used as a warning to modern government: “they warn us of the fundamental truth embodied in George Washington’s definition of government: ‘Government is not reason, it is not eloquence, it is force! Like fire, it is a dangerous servant and a fearful master’” (*MMC Weekly Update*, 3, 34, 1996: np).

The symbols of the militia and of the Second Amendment are also used by the MMC to demonstrate the ideal of citizen soldiers who challenge illegitimate government. The government, however, is perceived not to value this symbol; it

challenges the Second Amendment rights of Americans: “the movement against Second Amendment rights is not just a threat to our capacity to defend ourselves physically against tyranny. It is also part of the much more general assault on the very notion that human beings are capable of moral responsibility. This is a second and deeper reason that the defense of the Second Amendment is essential to the defense of liberty” (*MMC Weekly Update*, 5, 28, 1998: np).

The militia and the Second Amendment, as well as the symbols of the Founding Fathers and the founding documents are framed in the myth of the American Revolution where American principles were born. For example, the symbol of the Fourth of July is used to demonstrate that on this day, “a new nation was thereupon born into the world, conceived in liberty, and dedicated to the enduring principle that legitimate government exists solely through the consent of those being governed” (*MMC Weekly Update*, 5, 22, 1998: np).

The myth of the Republic, the source of these symbols, is used to depict modern government as lacking moral authority, where public opinion rules the actions of government rather than principles and values. Like the MOM, the MMC believe they are meant to live in a Republic, not a democracy: “the framers viewed democracy as a vile, failed form of government akin to mob rule which had been previously tried by other governments” (*MMC Weekly Update*, 3, 36, 1996: np). Instead, the founders are seen to have created a system in which citizens would entrust elected Representatives to protect their individual rights. Due to this, the Michigan Militia Corps reject democracy:

Well, Plato and the Greeks can tell you about a democracy. A pure democracy that fell apart – that is mob rule. A republic was a limited form of government. And our forefathers...said, ‘listen, we want to add a few more things, and we don’t really trust you yet...we want some other guarantees, and that is where the Bill of Rights came from. So that is a republic, which is a form of government, with certain specific laws and the fact that you and I had the responsibility to carry on our day-to-day life, and morally (Wayne 1999).

Democracy is associated with a State of Legal-Rational character:

Democracy, democracy. You hear this all the time. That's a Nation-State. Mob rules. And laws can be passed with a fast whim, without a slow process. We are a Republic. There is no democracy left in this world (Wayne 1999).

The Republic glorifies the citizen, who was powerful and active in their civic duties, and aware of the limits and nature of governmental authority. The Republic is a symbol of power residing with the people. The MMC say that,

What is relevant for us today is that the people in the American Republic (1787-1860) understand that the powers of the federal government were strictly limited to those spelled out in the Constitution and that the Constitution would be interpreted literally and narrowly. And of most importance, that the state themselves would be the final judge of the federal government's actions (*MMC Weekly Update*, 5, 37, 1998: np).

The Republic was the true American utopia, of limited government and of responsible citizens,

The splendor of American society in those days was the most visible nature of government from the perspective of the average citizen. Also, the state and local officials were generally recognized as being closer, in terms of interest, to the people that were served, and thus in a better position to understand and respect the needs and desires of citizens. When the central government issued a decree, it had to entrust the execution of its will to its agents (*MMC Weekly Update*, 5, 42, 1998: np).

The Michigan Militia Corps also use other symbols to challenge the legitimacy of authority. The MMC focus on various symbols of American government, which differ from the Militia of Montana. Firstly, the MMC discuss the White House as a sacred house of the people, which the President has not valued:

The President of the united States doesn't care about desecrating the White House. Our house. The house that belongs to every American. Perhaps the most sacred house in America. How would you feel if someone committed adultery in your kitchen? (*MMC Weekly Update*, 5, 9, 1998: np)

Like the Militia of Montana, the Michigan Militia Corps use the military as a symbol in order to challenge the government. Tom Wayne states that “three quarters are military men in the Michigan Militia” (Wayne 1999) which to him means that “there is something wrong, major wrong” (Wayne 1999). They discuss the same cases as the MOM where the military is no longer using American uniforms, like the case of Michael New who received a court martial for disobeying an order to wear the UN uniform. The military was meant to be a symbol of strength and security, honour and courage, and now it is being taken over by the United Nations. The MMC assume the military role and responsibility, and is portrayed as succeeding where the military has failed: “some of those that have recognized the potential threat to the principles this nation was founded on are training along military lines to defend this nation and their fellow Americans if it should become necessary” (*MMC Manual 1-1*: np). Thus, the MMC state that “the purpose of the militia is the defense of the Republic and the State from all its enemies, whether they be foreign or domestic” (*MMC Manual 1-1*: np).

Unlike the Militia of Montana, the Michigan Militia use the symbol of the Vietnam War. As a Vietnam Veteran, Tom Wayne now believes he was fighting for the UN, and not the United States military: “I am a Vietnam Veteran. I wasn’t aware of that until 25 years later that I wasn’t fighting under the United States, I was fighting under the United Nations” (Wayne 1999). Being a Vietnam Veteran is an identity more important than citizenship for Tom Wayne. Clinton is seen as a ‘draft dodger’ because of the Vietnam War. As Tom Wayne said, “here is a draft dodger who went to England and Russia and protested our involvement in Vietnam for the wrong reason, because he was too much of a coward to go” (Wayne 1999).

These symbols-as-values call into question the substantive commitment of the government to the ideals and destiny of Americans. These symbols allow the Michigan Militia Corps to interpret the meaning of these values to their own ends, and can therefore be used to delegitimize authority by arguing over the ‘true meaning’ of the Founding Fathers and the Second Amendment. They do not question the legitimacy of the symbols themselves, and they use them to challenge government behaviour and policies, not the underlying sociopolitical order. The MMC make it clear that they are arguing over the extent to which the government values these

symbols, not over the fundamental political system. The symbols of the American Republic and the American Revolution are seen as values that are contrasted with un-American behaviour and policies.

These symbols legitimate the militia and establish the criteria for legitimate government, and the symbols chosen are those which support the position of the militia in their challenge. To delegitimize authority, the Michigan Militia Corps also express what they see as symbols of illegitimacy, in particular, the United Nations and Socialism. They serve as symbols because they are often not discussed in real terms, but as symbols of all that is contrary to American values. Not anywhere is socialism and communism actually defined, except in terms of being un-American. To this end, the symbols of dictatorial oppression are used to emphasize the incongruence between output and values. Just as Hitler, or Stalin is used as a symbol of evil, so is Clinton compared to un-American leaders who are seen as symbols of dictatorial oppression: “Marx, Hitler, Stalin, Mao and Khomeini are just a few recent examples of immensely evil and personally corrupt men, whose rule brought destruction upon millions of people. Could Bill Clinton ultimately be another such example?” (*MMC Weekly Update*, 3, 30, 1996: np).

Rules

Rules are seen as the operating norms of a political system. The rules and laws that govern behaviour in a structure of domination and compliance are contained primarily in the Constitution, according to the Michigan Militia Corps. The Constitution is “the highest law of the land, defines what the federal government, and the three branches of the federal government can and cannot do. Everything else, according to the law, the Constitution has reserved to the states and the people” (*MMC Weekly Update*, 5, 10, 1998: np). The Constitution as a rule value is used in particular as it pertains to government behaviour and how it operates – how decisions are made by government, and how power is acquired, maintained and exercised through governmental output.

As with the Militia of Montana, the MMC understand and evaluate government by the the rules which govern the political system, pertaining to the separation of powers, and the rules which define the function of each branch of government and the positions within those branches. The Michigan Militia Corps emphasize that the federal government was only ever meant to perform 18 powers – anything else is transgressing the rules of the Constitution (*Thanks for checking us out*: np). It is because of the individuals who occupy positions within these branches that the ‘rules are broken’, due to a loss of moral authority.

The Michigan Militia Corps believe that because the Constitution is not followed, there is a contempt for the rules: “Congress, the White house and the Supreme Court have avid contempt for the Constitution and we Americans are left with a constitutional carcass” (*MMC Weekly Update*, 5, 24, 1998: np). This is because,

Our representatives and senators and our presidents, seem intent on following something other than the rule of law. They hide behind pragmatism, behind political expedience, behind the claim to do the will of the people, but the rule of law is about doing what is right and moral, not about what the mob – even if it is a mob of one, with the government guns behind it, might desire at the moment (*MMC Weekly Update*, 5 10, 1998: np).

The operational imperative of government is seen as pragmatism, following the popular opinion that secures their power, rather than principles and values.

The Executive is seen as permanently damaged because of the immoral and illegal behaviour of Bill Clinton, and impeachment is hailed as giving the President the message that “it is not okay to permanently damage the office of the President” (*MMC Weekly Update*, 5, 28, 1998: np). The President is seen as breaking the rules in a number of ways. Like the Militia of Montana, the Michigan Militia Corps highlight the power of the President in issuing executive orders which are perceived to be used for the illegitimate exercise of power:

Executive orders were originally intended to give presidents rule making authority over the executive branch – to allow him to preside as the chief

executive officer of the White House and its vast number of employees and departments. Clinton has reinvented the executive order as a form of presidential law making authority – something in direct contradiction to the Constitution (MMC Weekly Update, 5, 23, 1998: np).

An executive order is seen as giving “the president virtual dictatorial powers and is not subject to the usual checks and balances. Or he can go to Congress with proposed legislation” (MMC Weekly Update, 5, 23, 1998: np). The power of the president to make Executive orders is described as imperial: “What if a U.S. administration announced it was violating the Constitution and no one cared? That seems to be what’s happening today as President Clinton moves to amass what can only be described as ‘imperial powers’ without as much as a whimper of protest heard in the land” (MMC Weekly Update, 5, 23, 1998: np). Such orders discussed include those that allow the President to declare a national emergency and set up FEMA (a non-governmental organization which is part of the New World Order plan), Executive Order 13083, which is a “frontal assault on the 10th Amendment”, (MMC Weekly Update, 5, 23, 1998: np) or any “draconian plan” (MMC Weekly Update, 5, 23, 1998: np) based on “any threat to national security, perceived or real” (MMC Weekly Update, 5, 23, 1998: np)

The Legislative branch is also attacked in terms of rule transgression. The MMC state that rules determine that “Senators who violate their oath can be tossed from the Senate” (MMC Weekly Update, 6, 6, 1999: np) and implore readers to write to the Senate Ethics Committee on this basis. It is stated that “the ...criteria we use to judge whether our congressman is doing a good job is whether he is respectful of the US constitution and seeks to protect our liberties” (MMC Weekly Update, 5, 39, 1999: np). Congresspeople are seen as hypocrites that break the very laws they create. As the newsletter states regarding the War on Drugs and the refusal to have representatives drug tested, “Congress, your hypocrisy is showing...If congressmen[sic], want to play drug Warriors, shouldn’t all the rules of the game apply to them?” (MMC Weekly Update, 5, 29, 1998, np). The Michigan Militia Corps declare that Congress is “bound by the Constitution. It should only pass laws applying

the principle of original intent and the rules of construction...” (*MMC Weekly Update*, 4, 1, 1996: np).

The Judicial branch is also challenged on the basis of rule values. It is seen as operating illegitimately based on the behaviour of judges, in a manner described as “judicial imperialism” (*MMC Weekly Update*, 4, 1, 1996: np). This is where judges are “issuing rulings based on their whims (or biases) rather than relying on the written words of the Constitution and the intent of the framers. Congress has let judges get away with this type of behaviour for too long” (*MMC Weekly Update*, 4, 1, 1996: np). The judiciary is also seen as exercising powers that transcend the role of the judiciary:

The framers intended the judiciary to be the weakest branch of government, and therefore, the least dangerous to the political rights provided by the Constitution. The judiciary was not supposed to have influence over either the sword (executive branch) or the purse (congress), and have neither force nor will, but merely judgment (*MMC Weekly Update*, 4, 1, 1998: np).

The Judiciary is also seen as controlled by the Executive branch and the will of Bill Clinton: “the President knows that American citizens rule their freedom and reject socialism. So the only way to implement his big government agenda is through rulings by judges who literally make the law as they go to advance his agenda” (*MMC Weekly Update*, 4, 16, 1997: np). Further, this “raw judicial activism...nullifies our votes while undermining traditional principles of morality and law” (*MMC Weekly Update*, 4, 16, 1997: np). What this means to the MMC is the loss of ‘traditional values’ because the appointed judges are liberal: “By the end of his second term, President Clinton will have appointed more federal judges than any president in US history. Nearly all those judges will mirror the beliefs of the Clinton administration and you know what that means. They hold traditional values in contempt and sneer at the constitution and the constraints it places on political power” (*MMC Weekly Update*, 4, 16, 1997: np).

As a rule value, the rule of law is also seen as being unexpressed by government. The rule of law pertains to the way law is expressed in terms of individual civil rights and procedural rules regarding the citizen and the law, such as due process. The Michigan Militia Corps evaluate the rule of law in terms of the way it protects

citizens' rights and the value of freedom: "among the protections citizens realize when they demand strict interpretation of the rule of law is the American concept of freedom" (*Frequently Asked Questions: why a militia in these modern times?: np*). For government, the rule of law is also evaluated as abidance by the Constitution. There is predictability and visibility of government behaviour when they follow these laws: "this means that government in all its actions is bound by rules fixed and announced beforehand, rules which make it possible to foresee with fair certainty how the authority will use its coercive powers in given circumstances and to plan one's individual affairs on the basis of this knowledge" (*Frequently Asked Questions: why a militia in these modern times?: np*). Like the Militia of Montana, the MMC believe that some government laws regarding crime are unconstitutional, and are examples of ex post facto laws: "the point is we are either going to follow a document, that was actually written in blood, or we are not going to. And we haven't been following the Constitution, and a good example of that is the domestic crime bill which in this Constitution says 'no ex post facto laws shall be passed'" (Wayne 1999).

The Michigan Militia Corps state that the rule of law is an "Anglo American concept that emphasizes the supremacy of the law and restricts the discretionary power of public officials. The rule of law particularly stresses the protection of individual rights from the arbitrary interference of officials..." (*Frequently Asked Questions: why a militia in these modern times?: np*). What the MMC see is that instead of rules making the man, the man is making the rules: "the moral choice is between following the rule of law or the whims of man. The rule of law gives us liberty, freedom and civilized society, while the whims of man give us holocausts, confiscatory economic policies and pointless wars" (*MMC Weekly Update*, 5, 10, 1998: np). The transgression of rules is seen as the part of this evolution of government where the personal motivations of politicians and bureaucrats dictate behavior in government:

Years ago, we used to say that we have 'a government of laws and not of men.' Back then, we expected our elected officials and bureaucrats to stay within the boundaries set down in the law. That is, congress was not expected to pass unconstitutional laws, the President and the courts were expected to strictly enforce the Bill of Rights, and your state and local officials would do only those things outlined by your state constitution and

or city charter...but that was years ago, and this is now (*Frequently Asked Questions; why a militia in these modern times?:* np).

The Michigan Militia Corps believe that Legal-Rational domination is one where governmental output is defined as public policy rather than public law. Public policy is based on popular opinion, on trends and on the whims of public officials, rather than on the rules which have defined legitimate behaviour:

In 1938 we went from public law to public policy. Those are the words that are used today – public policy. Which means mob rules. In other words you could make laws today based on hysteria and within four or five days pass a law against something. Where public law was designed as a very slow process, to put law on the books. And we circumvented that. And the reason our forefathers felt that public law and the process of making law was a slow position was that the hysteria of something going on would die down and reasonable heads would prevail (Wayne 1999).

Public policy is seen as allowing other branches to interfere with the rules: “from public law to public policy, that meant even the courts could make a decision as to law” (Wayne 1999). According to the Michigan Militia Corps, the nature and character of authority is one of absence of a rule of law and of the use of policy as a political tool. Law and order is just a way of describing tactics of this ‘police state’. As the MMC state, “President Clinton makes the policy not to fight crime but for pure political power. The only difference between a Communist police state and a Nazi police state is which boot – right or left – is on your neck. The Clinton compromise is both boots on your neck” (*MMC Weekly Update*, 6, 6, 1999: np).

The behaviour and policies of law enforcement and transgression of the rule of law violate the rights of citizens, and like the Militia of Montana, the Michigan Militia Corps highlight the Fourth and Fifth Amendments regarding these procedural and civil rights by quoting Shonda Wiginton of Freedom Lovers International who says that

There was a time when the police was, indeed, your friend....Oh, but lets look at the policeman today. They have quotas to meet. I think the question we need to be asking is to what extent will a policeman go in order to meet his quota? Is this the reason for the rapid violation of the 4th Amendment? Ask your self if random checkpoints, sting operations etc are necessary? Do they protect your right to be ‘innocent until proven guilty’ or do they

automatically label you guilty enough to be detained until the policeman is assured that you are innocent? (*MMC Weekly Update*, 6, 3, 1999: np).

For example, regarding the federal law enforcement agencies, the MMC ask,

Do these [ATF] clowns ever learn? Either these guys are Washington's answer to the Keystone Kops, or we have on the loose a cold, calculating professional, Gestapo-like killing machine designed to root out dissidents exercising Second Amendment rights and blow them away without the messiness of trials and due process (*MMC Weekly Update*, 5, 36, 1998: np).

Police Departments around the country also do not express the rights of citizens. For example, the "Houston Police Dept gun task force stormed into an apartment where they believed illegal drugs were being sold", (*MMC Weekly Update*, 5, 42, 1998: np) and they apparently had no warrant, no drugs were found, and they ended up killing the suspect. Law enforcement is seen as entrapping citizens into violating laws instead of following the rule of law in their role as law enforcers: "why aren't these law enforcement heroes out investigating real crimes of violence against innocent victims, instead of conducting secretive sting operations designed to entrap people into violating inherently unconstitutional laws?" (*MMC Weekly Update*, 5, 36, 1998: np). The MMC believe that "Gestapo like IRS agents who storm the homes of innocent Americans, destroy property and terrorize children at gunpoint should be prosecuted for felony assault, grand larceny and extortion" (*MMC Weekly Update*, 5, 16, 1998: np). Even IRS agents are now enforcing the law, and doing so in a way that does not express the rule of law. Instead of militias being criminals, these agents are the criminals who should be charged with a crime. To this end, the MMC believe that the rule of law should be enforced against government agents, and "treat rouge IRS agents like other criminals: charge them with assault, theft and extortion" (*MMC Weekly Update*, 5, 16, 1998: np).

The Michigan Militia Corps also believe that the rule values regarding participation in the electoral process, and regarding non-electoral forms of participation, conflict with the way the government operates on pragmatism (rather than on principles and values). They state several views regarding electoral

participation in the form of voting. Firstly, the belief is that “voting is a very powerful tool” (Wayne 1999). However, at the same time, Tom Wayne states “but what I understand with the voting and screwing with the voting machines, that upsets me” (Wayne 1999). Secondly, this fear that the process is corrupt leads the MMC to advocate challenging the electoral process. Thirdly, candidates are seen as lying and being deceptive, telling the public whatever they want to believe. Because of this, the electoral process is challenged:

It has become standard operating procedure for candidates to lie not only about themselves but about their opponents. If they have the money, candidates even hire people who are professional experts in lies and deceptions. Candidates base campaign positions not on beliefs or convictions but on polling data (*MMC Weekly Update*, 5, 39, 1998: np).

Fourthly, Tom Wayne states that voter apathy is the cause and effect of inadequate representation. This, according to Tom Wayne, is part of the plan of those who seek power,

Because no matter who you send to congress, you know they do all this hype – ‘we are going to this, and we are going to do that when we go to Washington’, it seems like when they get in that 10-square mile area, they forgot [sic] where the hell they came from. It’s amazing. That is why you have voter apathy – people feel, and it’s planned that we – people feel helpless (Wayne 1999).

In one Michigan Militia Corps newsletter article, voter apathy is seen as the cause of illegitimate government, placing the responsibility on the American people. It is because voters are not participating and active that there are problems in America. While voting as a means of participation is advocated, the frustration of not being represented is attributed to the “emergence and dominance of the politically elite two party system” (*MMC Weekly Update*, 4, 46, 1997: np). This system is seen as having been corrupted from its original intention and is the reason “20th Century America has failed miserably in respecting the Constitution and adhering to the Constitution” (*MMC Weekly Update*, 4, 46, 1997: np). In this article, the people are not seen to be represented by the two parties: “our political system is morally, fiscally and spiritually

bankrupt. Neither of the two major parties have any intention of meaningful reforms or serving the interests of the citizenry” (*MMC Weekly Update*, 4, 46, 1997: np).

The Michigan Militia Corps believe that election laws create a political system which stifles dissident views:

The two party system, as it exists today, has all but destroyed our republic. A dominant two party system in tandem with a self serving and unprincipled media, effectively stifles dissident voices and the opportunity for those who are not in agreement to either party to present their views. Election laws across the country are stacked in favor of the two major parties (*MMC Weekly Update*, 4, 46, 1997: np).

Further, the media are seen as controlled by the government which determines that third party participation will be excluded:

the Supreme Court decision allowing public television stations to exclude third party candidates means that ‘only government approved candidates will get access to government controlled media’ (*MMC Weekly Update*, 5, 17, 1998: np).

The electoral process is also seen as controlled by government: “unfortunately, the absolute total control that the corrupt political establishment has over our political process today has all but eliminated the viability and effectiveness of the third party” (*MMC Weekly Update*, 4, 46, 1997: np). The political establishment is seen as an alliance of those who serve the government: “unfortunately this choice is too often between bad or worse. Given the incestuous relationships that exist between the two major parties, the PACs the media, and big money donors to both parties, the establishment never loses, and the people seldom win” (*MMC Weekly Update*, 4, 46, 1997: np).

The value of the jury as a means of participation is also seen to be disregarded by government. Like the Militia of Montana, the Michigan Militia Corps see that juries are not able to follow their conscience or able to serve their civic role as jurors because they are kept uninformed and controlled. The MMC challenge this by supporting the ‘jury education committee’, which “is a political action committee whose mission is to enact policies and laws which bring added justice to our judicial

system through educated and informed jurors.... (*MMC Weekly Update*, 5, 4, 1998: np).

The Michigan Militia Corps also advocate non-electoral forms of participation that are seen as 'traditional' means of protest through legal and other channels which are deemed as appropriate methods of dissent: "the militia is trying to remove these threats by all lawful means at their disposal: ballot, demonstration, calls and letters to congressmen, court action" (*MMC Manual 1-1*: np). They further state that "we actively encourage our members to write to their representatives in government to get views across" (*Frequently Asked Questions: What does the Militia actually Do?*: np).

Participation in a militia is also justified as an appropriate means of extra-institutional dissent to act as a check on government. The MMC present this participation as a right which is protected by the Constitution. Outlawing the militia is therefore a transgression of Constitutional rights.

The rule values pertaining to expression and relating to the method of dissent, are also seen as unprotected rights guaranteed by the Constitution. The use of the militia as a means of expressing First and Second Amendment rights is believed to be denied by the government, which wants to stifle these views. Like the Militia of Montana, the MMC believe that the government is not adhering to the rules, by seeking to outlaw militia organizations.

Conflict and Legitimation

The Michigan Militia Corps have engineered the protest to create legitimacy for themselves, and to delegitimize the State, and use the political culture to this end. In this section, the MMC is analyzed as indicative of their protest behaviour that is indicative of the use of the 'militia' as a political organization and label in the conflict over legitimacy. Then, it will be shown that specific tactics and strategies are used to delegitimize the State while simultaneously legitimizing the MMC.

Protest Behaviour and Conflict

Like the Militia of Montana, the Michigan Militia Corps use the 'militia' as a means of legitimizing the protest behaviour and delegitimizing the State, as demonstrated by the following characteristics.

Expresses a grievance, a conviction of wrong or injustice. Like the Militia of Montana, the Michigan Militia Corps use the rallying cries of Waco, Ruby Ridge and the Brady Bill to express the grievances of the protest, but to a lesser extent. By expressing these grievances, the MMC seek to delegitimize the government and the behaviour which legitimates the movement. Further, the rallying cry of the MMC is centralization of authority; 'big government' versus the rights and liberties of the people which also is used to express the legitimacy of the movement against the illegitimacy of the State. To this end, they state that the group was "formed in response to the apparent centralization of power in this country, even the world" (*Thanks for checking us out: np*).

The Michigan Militia Corps also use the 'militia' organization to protest specific grievances that are put under the militia banner, which reflect the conservative nature of the movement, such as government spending, education policy, and taxes.

Draws attention to grievances. The MMC also use the ‘militia’ organization as a protest vehicle to draw attention to, or highlight these grievances in the conflict over legitimacy. Like the MOM, the MMC challenge government legitimacy in terms of the militia ideal and state that their objective is to “promote the historical role” (*MMC Manual 1-1*: np) and function of the militia in fighting illegitimate government against perceived threats and constraining the power of government by monitoring its behaviour. Due to the defensive nature of the Michigan Militia Corps, they highlight the perceived threat to values, and the preservation of the ‘American way of life’ which they see being eroded. They claim to do this by defending the Constitution and the Bill of Rights which they highlight as being neglected as well as the people: “to preserve and defend the Constitution of the USA and the State of Michigan as well as the citizenry at large” (*A Well Regulated Militia? Today?*: np). The use of the militia ideal thus highlights perceived threats from internal enemies, identified as the federal government and their behaviour and policies as ‘internal lawlessness’, and from external enemies.

The militia organization as a protest vehicle is used to challenge gun legislation, perceived as an example of rights and liberties being removed by tyranny. Like the Militia of Montana, the Michigan Militia Corps believe that gun rights are “not just for hunting” (*Thanks for Checking us Out*: np) as contained in the Second Amendment. The use of the term ‘militia’ draws attention to this grievance because the idea behind the militia was that

Before a standing army can rule, the people must be disarmed: as they are in almost every kingdom in Europe. The supreme power in America cannot enforce unjust laws by the sword, because the whole body of the people are armed, and constitute a force superior to any band of regular troops that can be, on any pretense, raised in the United States (*Frequently Asked Questions: What is the historical and legal precedent for maintaining a citizen militia?*: np).

The MMC believe that federal law enforcement is now a standing army, because of the proliferation of bureaucratic administration: “even more alarming is the way Washington is encouraging networking and cooperation between the law agencies, in effect, establishing a virtual standing army of central government cops – an idea

antithetical to the American constitutional tradition of federal power” (*MMC Weekly Update*, 4, 34, 1997: np). The threat that emanates from an armed populace towards a tyrannical government is used by the MMC to emphasize their defensive role: “we have absolutely no intention of using any weapons offensively against anybody. It is our job to protect what liberties we have left” (*Thanks for Checking Us Out*: np). The use of the militia ideal and political organization is perceived by the MMC to give the protest credibility and legitimacy against the State. Like the Militia of Montana, the MMC believe that the very presence of a militia organization draws attention to the illegitimacy of the State, and is therefore the most effective way of delegitimizing the State.

Action directed to cause change. The use of the ‘militia’ is directed to cause change. To this end, the stated goal of the Michigan Militia Corps is “to restore the federal and state governments to their historical, limited and constitutional function. Every day government is getting larger and more intrusive on individual rights. We are here to try and curb this frightening phenomenon” (*Thanks for checking us out*: np). The MMC advocate State’s rights and the adherence to the Tenth Amendment as they interpret it. They also see their militia organization as involved in a ‘Tenth Amendment Movement’ which seeks to restore State’s rights.

The way that the Michigan Militia Corps seek to affect change is through education and training. According to the *Michigan Militia Manual*, the objective of the MMC is to “provide for the effective training of a disciplined force of citizen soldiers and to promote the historic role of the citizen militia, liable for home serve and defence” (*MMC Manual 1-1*: np). To this end, they advocate military training, not just educational training. In order to achieve their objectives, the MMC undertake a “program of preparedness and training for emergency situations as well as education about potential dangers to our constitutionally protected way of life in the united States of America” (*A Well Regulated Militia? Today?*: np).

Challenges institutional channels. The Michigan Militia Corps is using the militia as a means of extra-institutional protest, where the militia is interpreted as independent from government control. In this way, they define themselves in a historical role:

Currently in Michigan, the citizen militia is subject only to the historic role of American Militias as defined in Black's Law Dictionary" – 'the body of citizens in a state, enrolled for discipline as a military force, but not engaged in actual service except in emergencies, as distinguished from regular troops or a standing army.' In order to conform to this definition, and to remain able to oppose a rebellious and disobedient government, the citizen militia must not be connected in any way with that government lest the body politic lose its fearful countenance as the only sure threat to a government bent on converting free people into slaves (*Is the Citizen Militia Lawful?:* np).

Unlike the National Guard which is subject to law, the militia is extra-institutional precisely so it can challenge authority: "While the National Guard came into existence as a result of legislative activity, the militia existed before there was a nation or a constitutional form of government. The militia consisted of people owning and bearing personal weapons is the very authority out of which the United States Constitution grew" (*Is the Citizen Militia Lawful?:* np).

In this way, like the Militia of Montana, the Michigan Militia Corps portray this extra institutional role as a natural right. They not only claim that their militia is 'unorganized' and thus free from control, but it is a natural right and out of the bounds of law and authority altogether. To this end, the MMC justify the use of a militia by "legal and historical precedent" (*Michigan Militia Resources:* np) which says that the militia "is a natural right which the people have reserved to themselves, confirmed by the Bill of Rights, to keep arms for their own defense" (*Is the Citizen Militia Lawful?:* np).

Strategies and Tactics

The Michigan Militia Corps highlight the transgression of symbols, rules and beliefs in three ways. Firstly, their expression of these values is seen to confer legitimacy. When the MMC talk about the 'Founding Fathers' or 'the Constitution', the rule of law, and 'nationalism,' the strategy is to gain legitimacy by virtue of this expression. Further, the lack of adherence to these values by government is used to delegitimize Legal-Rational authority. Secondly, the lack of government expression

of these values through behaviour and policies delegitimizes authority and legitimates the MMC which has exposed this lack of legitimacy. Thirdly, the association of government with un-American values is demonstrated by the MMC in terms of the way it adheres to alternative symbols and beliefs, and by its transgression of the rules of the game.

From the analysis of this process of legitimation, the various strategies and tactics employed in this process demonstrate the conflict over legitimacy. As shown in this chapter, legitimation for the Michigan Militia Corps is contingent on proving that the government is illegitimate based on the criteria for Value-Rationality. However, in this process, the MMC also use specific tactics and strategies in delegitimizing governmental legitimacy. Firstly, the Michigan Militia Corps use the strategy of the 'ideological high ground'. While this strategy differs from the Militia of Montana, the MMC also demonstrate that the legitimation of the group is primarily contingent on the strategies which stem from the use of the militia as a protest vehicle. Thirdly, the Michigan Militia Corps use a strategy of 'victimization' in order to gain sympathy as well as some intimidation by the use of the militia as a vehicle for protest. The military training and use of military fatigues when appearing in public demonstrate this intimidation.³ Fourthly, the Michigan Militia Corps also use the strategy of militia differentiation, and militia de-emphasis that also differs from the Militia of Montana. These group-specific tactics highlight differences between the two groups that enable us to understand the militia movement.

'Ideological High Ground'

The Michigan Militia Corps, like the Militia of Montana, attempt to take the moral high ground, but it can be said that it is more of an ideological high ground. The MMC seek to present themselves as being above an immoral authority that is

³ The first public appearance by the Michigan Militia Corps was in 1994, on a children's playground wearing military fatigues and carrying firearms. However, they do not deliver proclamations like the Militia of Montana, and seem to be more cautious about their intimidation, especially since they were portrayed as 'extremists' due to such tactics. This will be discussed further in the chapter.

identified as liberal. Conservatism is seen as superior to Liberalism. The identification of the Michigan Militia with conservative themes and ‘traditional values’ defines this conflict in more ideological terms.

Another tactic in taking the ideological high ground is exposing the hypocrisy in liberal government, and in other agencies. In regards to the anti smoking laws, the Michigan Militia Corps state that “the intolerance and hypocrisy of Liberalism is laid bare in both the policies and policy of the administration’s anti smoking jihad” (*MMC Weekly Update*, 3, 25, 1996: np). The illegal behaviour of the Clinton administration, and the arming of terrorists mentioned are just two examples of this hypocrisy. Another example used is the ‘proliferation of guns in government’: “before our legislators pass one more law restricting the right of law abiding citizens to carry firearms, much tighter controls need to be placed on the proliferation of guns in government. That would be meaningful gun control – and Constitutional too” (*MMC Weekly Update*, 4, 34, 1997: np). The exposure of hypocrisy focuses on the behaviour of the government to demonstrate that politicians and bureaucrats are not in a position to judge the behaviour of American citizens and legislate on that basis. Further, this strategy legitimates groups like the Militia of Montana, because they cannot be judged by a government that has no moral or ideological basis for it.

‘Victimization’

The strategy of playing the victim or scapegoat of the government, media and monitoring groups is similar to that of the Militia of Montana. The explanation for this victimization or conspiracy by the Michigan Militia Corps is that their group, and the militia movement, is a perceived threat to authority, and they have been successful in their challenge to authority. To this end, the MMC feel that the government blamed the militia movement, and the Michigan Militia in particular, for the Oklahoma City bombing: “when the Oklahoma City bomb hit, politicians were running around trying to blame us for everything” (Wayne 1999). The Oklahoma City bombing is also seen as an orchestration of government to shut the militia movement down, because of the momentum being gained by the movement: “once the Oklahoma City bombing hit,

and the militias were put in the forefront because we were the bad guys. Now some elitists want to get us because we were getting too strong as a political entity” (Wayne 1999). Tom Wayne believes that their attempts to stop the “Council of States Resolution” (Wayne 1999) resulted in the Oklahoma City bombing, because

Two weeks later OKC hit. Was that a coincidence? I don’t think anybody in this country believes that Tim McVeigh and Terry Nichols are the only two players. I mean, come on. We have experts to suggest that the truck bomb couldn’t have done it (Wayne 1999).

Thus, while they are victimized, it is only because they have touched a raw nerve. It is not based on any real or legitimate claims by government, nor is the militia responsible for the bombing: “so the whole point was that they had to do something to get rid of us because we were bringing out these inadequacies in government” (Wayne 1999). Like the Militia of Montana, the Michigan Militia Corps believe that the bombing was an excuse to pass government legislation and crack down on the militias who were then defined as terrorists. A reprinted article from the *New American* compares the tactics of Boris Yeltsin’s crackdown on extremists with those of the United States: “Might similar power someday be vested in the KGB’s partners in US law enforcement, in the interests of fighting right wing extremism?” (*MMC Weekly Update*, 4, 25, 1997: np). They state that “furthermore, an essay by an influential counter terrorism consultant suggests that a full blown Soviet Style campaign against the ‘radical right’ may be forthcoming...” (*MMC Weekly Update*, 4, 25, 1997: np) in the United States. The tactics discussed in this article include that of delegitimizing the militias through a smear campaign against the right wing: “an effective campaign against terrorism, Kellen asserted, must delegitimize the political right by convincing the public that ‘the hallmark of the extremist patriot is his extremism, not his patriotism.’” (*MMC Weekly Update*, 4, 25, 1997: np). According to this article, the tactics of the government will be to “escalate its infiltration and surveillance of ‘extremist’ groups, where “intelligence operations that probe extremist groups like the Militias – whether they have committed terrorist acts or not – must be increased perhaps tenfold...” (*MMC Weekly Update*, 4, 25, 1997: np). This is characterized as a “psywar” (psychological warfare) against the militia “by explaining that certain

groups are, regardless of what they claim, ‘politically’ criminal groups bent on destroying American democratic institutions” (*MMC Weekly Update*, 4, 25, 1997: np). By construing the conflict in these terms, the militias, and the right wing in general, is seen by the MMC as a victim in policies on terrorism.

The media are portrayed as seeking any culprit and settling on the militias:

Look. CNN started this. They said it was the Middle East terrorist did it. Then they said it was just someone disgruntled with the IRS. Well, that is 250 million Americans, so they had to narrow it down a bit. Then they brought up the militias. Then they tried to connect Michigan Militia with Tim McVeigh and Nichols. Well I suggest why don’t they try to connect the army since they were both in the military, alright? (Wayne 1999).

The Michigan Militia Corps believe they are victimized by the way the media portray the group:

You know they had this perception from the media that we were all a bunch of Rambo wannabe’s, but we weren’t. We were above board and allowed the media in, because we had nothing to hide, showed us training. But we stopped that one real quick, and we don’t do that one anymore. They know we train, but the point was they used it for their five-second sound bit to make us look like crazy guys. And I will give you a good example. Twenty white guys running around the woods with guns training. That bothers you a little bit, right? (Wayne 1999).

Tom Wayne is also associated with a group called “Americans For Responsible Media” (*MMC Weekly Update*, 3, 10, 1996: np). The problem with the media is that “the media in some cases...has created a problem or hyped it in such a way to cause a panic” (*MMC Weekly Update*, 3, 10, 1996: np). They believe that the media has practiced guilt by association with the MMC through this panic. For example, an article is quoted to have said that

On other fronts the emergence of self styled militias has resulted in more than 100 ATF agents receiving death threats in the last year. Members of the so called “Michigan Militia” reportedly gathered not only the home addresses of the ATF agents but also where their children attend school (*MMC Weekly Update*, 3, 9, 1996: np).

The Michigan Militia Corps comment, “notice that the article doesn’t say anything about the death threats coming from anyone in the Michigan Militia, it simply links two separate events in print, creating a guilt by association in the readers mind, in an obvious attempt to demonize the Michigan Militia” (*MMC Weekly Update*, 3, 9, 1996: np). Another letter written by an MMC member states

The shark like media feeding frenzy continues, seizing every opportunity to link the words “Michigan Militia with the Oklahoma City bombing, white supremacists, white separatists, Aryan nation, neo nazi, angry white males, and the media favorite word – ‘extremists’ etc by making a statement about one group and then the other. Very clever. These media sharks, by not outrightly accusing the militias of anything, thereby protecting themselves from libel. The media successfully demonizes the militias and other true patriot groups by simply associating that group in the same paragraph (*MMC Weekly Update*, 3, 8, 1997: np).

The problem with the media, according to the MMC, is that they are liberal, and part of the “establishment” (*MMC Weekly Update*, 4, 23, 1997: np), whereas in the past they also exposed government:

Muckraking journalists uncovered many abuses of power, both in government and private industry, at the turn of the century. They helped save lives and unmask corruption. But they also contributed to the growing power of the federal government and to the mind set that looks to Washington for the solution to America’s problems (*MMC Weekly Update*, 4, 23, 1997: np).

Monitoring groups are seen as victimizing the Michigan Militia Corps by demonizing them in various ways. Tom Wayne said that

I think it was Morris Dees who said we are all disgruntled Vietnam Veterans – oh god, not another tag, I didn’t know I was disgruntled. I thought I was doing my country a service when I went to Vietnam. They are looking for any excuse in the world to demoralize us, or demonize us... (Wayne 1999).

'Mainstreaming'

In the process of legitimization, the Michigan Militia Corp seem to use this strategy more than any other. Firstly, the MMC attempt to prove that they are not 'extremists'. Claims of extremism by opponents are countered with the claim of what could be said to be Value-Rationality:

Okay, see we have been labeled as extreme. When was it extreme in this country to honour our contract? It used to be noble. So now you are saying we are asking to honor the contract the Bill of Rights and the Constitution, and now you call us extreme because we want to follow a contract that was written before us? (Wayne 1999)

They further state that their objectives are not radical because of their political objectives. "We call for that constitutional form of government designed by the Founding Fathers. That is not radical...rather, that is our established birthright as American citizens" (*MMC Weekly Update*, 5, 39, 1998: np).

To this end, they declare they are not racist and anti-Semitic, and point to the Declaration of Independence which "says clearly that all men are created equal and we firmly believe that" (*Thanks for checking us out*: np). They also attack monitoring groups and attempt to delegitimize them in order to prove they are not racist or anti-Semitic. Rather, it is the monitoring groups who are seen to contravene the constitutional rights of the people:

We are totally against anti-Semitism, we are totally against racism of any kind. Period. And we have proved that. Morris Dees - we call him Morris Sleaze of the Southern Poverty Law Center - they have come out and said that they had no problem with the organization that I belong to. I have gone up against the ADL - now these guys are 'real sweethearts' - they have done more to hurt the First and the Fourth and Fifth amendment in this country than any private organization (Wayne 1999).

The Michigan Militia Corps have sought to prove that they are not extremist, to the extent of threatening to sue a monitoring group for libel. It was hailed as a great victory, when the monitoring group HateWatch issued an apology:

I am not sure if you are aware of it or not, but Tom and I were working on starting a libel suit against an organization called HateWatch who maintains a webpage on hate groups. They had Michigan Militia Corps listed as a hate group. I have sent them notice last week that if they don't remove our name and apologize, we will sue them. Here is his reply!

"I Samuel Macy, a director of HateWatch, wish to apologize to the Michigan Militia Corps and all its members. HateWatch listed the Michigan Militia Corps as a hate group when indeed there was no evidence that the Michigan Militia Corp is. We define a hate group as 'an organization or individual that advocates violence against or unreasonable hostility towards those persons or organizations identified by their race, religion, national origin, sexual orientation or gender also including organizations or individuals that purposively disseminate historically inaccurate information with regards to these persons or organizations.' Neither I nor any staff members of HateWatch believe that the Michigan Militia Corps meets these criteria. We apologize for our failure to distinguish the Michigan Militia Corps and other militia units from hate groups. We believe that militia organizations are not equivalent to hate groups and we regret this misunderstanding (MMC Weekly Update, 4, 33, 1997: np).

The MMC are also sensitive about claims that they are racist or anti-Semitic, and have gone continually sought to demonstrate their mainstream character. The most damaging blow to the legitimacy of the group, it was perceived, occurred after the Oklahoma City bombing when the leader of the MMC, Norm Olsen, made a remark that was construed as racist. As a result, Norm Olsen was relieved of his command because "Norm took it upon himself, without consulting his staff and fellow elected commanders, to release a statement to the press indicating that the Japanese had something to do with the bombing. This was embarrassing to most members, and an election for a new commander was held" (*Frequently Asked Questions*: 15).

In attempting to prove that they are not extremist, the Michigan Militia Corps seek to justify the use of various themes in their protest, like the emphasis on banking. The MMC are careful when talking about 'international banking', to avoid the anti-Semitic connotations. In the interview, Tom Wayne said

Jewish conspiracy and Jewish bankers...I don't care what religion they were. I don't care! That's baloney anyways. But the point is that somebody is always trying to associate religion with some other person that is trying to rip you off. Well that's a waste of time (Wayne 1999).

As with the Militia of Montana, religion is associated with extremist thought, and extremists are seen as having a religious doctrine. Thus, the Michigan Militia Corps also avoid religion in legitimating themselves as mainstream.

In seeking to prove they are not extremist, the MMC also reject violence or terrorism: “the wolverines have not, in the past and will not in the future, tolerate the use of force against civilian targets, making bombs or any device for mass destruction” (*MMC Manual 1-1*: np). They say “terrorism is cowardly, moronic and counterproductive” (*Thanks for checking us out*: np). Rather, it is the government agencies that practice nazi-like extremism. Further, public officials, politicians and bureaucrats are presented as lawless and crazy: “how many times does America need to see such tragedies before it wakes up and disarms these dangerous out of control gun slinging hitmen? The inmates are running the asylum folks. Beam me up” (*MMC Weekly Update*, 5, 36, 1998: np).

Thirdly, in the strategy of mainstreaming, the MMC seek to demonstrate that they are ‘normal’ or ‘average’ Americans. They do this because of the perceived attacks by opponents that they are extreme as well as stupid: “they treat us like we are stupid” (Wayne 1999). In their own portrayal, they are not ‘rednecks’ or ‘hippies’, but concerned Americans. They feel that the most affective challenge to this claim is by demonstrating their intelligence, and they feel attacked mostly in these terms:

We are only supposed to have a 10th grade education, and we are supposed to be dumber than a rock, which really upset us, not that I am some kind of elitist, that I have 25 years of college or something, I am sure I have paid for 25 years of college. I learned by the seat of my pants but the point is we went into the archives...but you wont see it on t.v. because they don't want the people to know that. That is why they try to use the race card against us because when the black guy gets together with the white guy and starts comparing notes they say, wait a minute, we are all slaves here, what is going on with this stuff (Wayne 1999).

Further, they use examples of authority that treats them as legitimate. They claimed that the head of the CIA said,

Sit down with these people, because a lot of what they are saying makes sense...they are not your average hippie back, in the sixties. These people average 20 years of life after school, they have been successful in business, in their jobs, and in raising their family. These people are not somebody to play with because their concerns are genuine (Wayne 1999).

The 'mainstreaming' tactics have also changed over time for the group. From its inception, the MMC wanted to have 'above board' tactics and to be 'out in the open', like the Militia of Montana who stated that their mandate is 'public and overt'. However, part of this openness backfired on them. Firstly, the Michigan Militia Corps allowed the media to film their weapons training. This was perceived to have affected their legitimacy, as mentioned. Secondly, after the Phil Donahue Show, where they chose to wear military fatigues, they now choose to wear suits (Wayne 1999) to increase the legitimacy of the group. Also, the Michigan Militia Corps used to have public rallies, but the people who attended were giving the group a bad image: "we used to do the rallies and people would show up. Well I think they let the State hospitals out for the day..." (Wayne 1999).

The Michigan Militia Corps have also used different strategies and tactics from the Militia of Montana in attempts to not only delegitimize authority and legitimate themselves, but to elevate their militia group over other patriot groups for legitimacy, and to de-emphasize the militia identity for legitimacy.

'Differentiation'

The Michigan Militia Corps do not believe they are a typical militia group, and state that they are "far different. We are the largest, the best organized and we also are the most recognized world wide...the point was that we are different" (Wayne 1999). They believe they are different in that they are legitimate, which they seek to prove. In the interview, Tom Wayne stated that "the U.S. attorney in Grand Rapids in a recent newspaper article said we were the lawful, mainstream militia" (Wayne 1999). Even the Anti-Defamation League is said to repeatedly state that the Michigan Militia Corps "are good people" (Wayne 1999). To this end, they also use the tactic of 'militia superiority,' which is used to demonstrate that they are superior to all other patriot

groups, and the only legitimate militia group, or “the last patriot group” (Wayne 1999).

This differentiation is seen as one of sincerity: the Michigan Militia Corps purport that groups like the Militia of Montana are in it for the money. Tom Wayne criticizes such groups for using ‘paranoia for profit’. The MMC set themselves apart from these militia groups because the practices of these other militia groups are seen as delegitimizing:

This threat of black helicopters and UN troops coming down the road. See, I am not worried about black helicopters. See, that’s some of these yo-yo patriot groups. We call the PAYtriots for profit, Peter Paranoia (Wayne, 1999).

Rather, the Michigan Militia Corps do not sell any materials, and Tom Wayne’s radio programme is self funded: “I have no sponsors, it comes out of my own pocket” (Wayne 1999).

The MMC also attack other militia organizations for promoting “doom and gloom” (Wayne 1999) or doomsday fears based on these conspiracies, and they claim to be “a very positive organization, we believe in the day after. You have to prepare sensibly for any catastrophe” (Wayne 1999).

They also differentiate between themselves and others who use the militia for legitimacy, but who have a racist agenda:

Some of these groups have a different agenda. Christian Identity movement – they moved into all the militia groups in the country because that is their way of looking legitimate and they felt they had a ready made, built in, anti government sentiment. So it wasn’t that much further to take them into the anti-Semitism, or the Jewish banker and that kind of stuff. It is very slick how they try to do it. When we caught it, well they weren’t going to influence me in any way, but we know some people in the Michigan Militia weren’t on the same page, and we didn’t know why. We were too busy focusing ourselves on the political aspect and not paying attention that there was another group out there would like to destroy everything, and that is the Christian Identity and KKK (Wayne 1999).

When asked if he believed that all militia groups have been infiltrated, he responded “quite a few of them in fact” (Wayne 1999), and the problem is that these types of racists and anti-Semites are “trying to align themselves with militias” (Wayne 1999). The disassociation with the extremist groups is also to label them as the ‘enemy’ who they also challenge: “I have had death threats against me because I have gone up against these people. The KKK and so on. We have made that our position” (Wayne 1999). Tom Wayne believes the largest problem for the movement was weeding out racists who sought to infiltrate the movement. Like John Trochmann, Tom Wayne believes that racist groups have a ‘religion’ or ideology that they are trying to legitimate through the militias, but which Tom Wayne vigorously fights against: “I never thought I would be fighting other people in this country private groups that have their own religion, be shoved on all of us” (Wayne 1999).

The Michigan Militia Corps do not boast of the success of their group and the threatening nature of the militia to the same extent as the Militia of Montana. They also use different tactics to demonstrate they are successful as part of this differentiation. Tom Wayne boasts of the popularity of the group because of its legitimacy. In the state of Michigan, Tom Wayne states that there are between “twelve to twenty-two different little groups, and they all want to take our recognition” (Wayne 1999). The MMC seek to prove they are successful not only against authority, but as a militia organization in a movement.

‘Militia De-emphasis’

Mainstreaming has also led to a deemphasis on the militia and the ‘patriot movement’ and an emphasis on partisan politics. Tom Wayne states that most of the members of the Michigan Militia Corps are Republicans: “I have not met a democrat anywhere in the Michigan Militia – most of them are Republican. They vote” (Wayne 1999). Tom prefers the word ‘partisan’ to patriot: “all of these patriot groups - and I hate that word anyway. The reason I hate it is because how can you call yourself a patriot? I can’t, unless you could tell me I won? The best thing we can be called is partisan” (Wayne 1999). Part of this tactic to legitimate the MMC is to use

conservative rhetoric and identification with the Republican Party, rather than militia rhetoric and the emphasis on militia themes. It is apparent that this is what the MMC associate with legitimacy. The issues are partisan and ideological, used to place the militia within mainstream politics as they see it. To this end, the militia is even de-emphasized for legitimization. For example, in Tom Wayne's radio programme, he does not mention the association with the Michigan Militia Corps because it is seen to have a 'bad connotation'. He says

The radio program I do...I have people from all over the country – well known people, not militia people, in fact I don't even say militia on the thing, on purpose – because I am trying to get the message out there and once you listen to the message, then if you need to find out from me if I am, I will tell them. But the point is that because it has a bad connotation because of the news media (Wayne 1999).

Conclusion

Like the Militia of Montana, the Michigan Militia Corps challenge governmental legitimacy. They believe legitimacy is a quality that they can assess through governmental behaviour and policies, which reflect adherence to the value system of beliefs, symbols and values specified by the political culture. Their own legitimacy is gained through the exposure of the failure of the government to express these values, and to be the medium of expression for the American people. In this way, the Michigan Militia claim to represent all Americans, like the Militia of Montana. It is the job of the militia to make government adhere to these values, through this exposure.

As a social or political protest movement, the value orientation of the Michigan Militia Corps seek the restoration and preservation of values that are perceived as threatened. Legitimacy, understood as the congruence of governmental output with the values of society, is perceived by the MMC to be lacking. They believe that the "nation obviously needs new leaders committed to Americanist ideals" (*MMC Weekly*

Update, 5, 2, 1998: np). The basis of the protest for the MMC mirrors that of the Militia of Montana: Value-Rationality. The identified problem of the lack of value respect and preservation is located in governmental behaviour and policies. The legitimacy of the socio-political order is not in question.

The Michigan Militia Corps call for the enforcement of the Constitution, because they believe if the “Constitution were enforced, the cost of the federal government would shrink by at least three quarters, the national debt could be paid off, interest charges would evaporate, and America would reverse its rapid slide into totalitarian socialism” (*MMC Weekly Update*, 5, 2, 1998: np). The nature of their protest is education, to achieve the objective of waking the “slumbering citizenry” (*MMC Weekly Update*, 5, 2, 1998: np).

The Michigan Militia Corps appear different from the Militia of Montana in a number of ways. The Militia of Montana convey a real sense of anger at federal abuses exemplified by Waco and Ruby Ridge and the lack of accountability for these events. In attempting to explain the source of their grievances, they use a number of conspiracy theories supplanted by further evidence of abuse. The MMC emphasize the ‘fear’ of the American people towards the changing nature and role of government and international developments. The international system is also seen as one where World Government is a “utopian concept” of peace and cooperation, but it is seen by the MMC as just another structure of illegitimate domination and control. They claim the international system under a world government is touted as an ideal utopia of peace and prosperity; they challenged it as merely a dystopia.

The Michigan Militia Corps attribute the problems to the Clinton administration, and therefore the problems seem more situational. They demonstrate a challenge to a government whose output is identified as lacking conservative value expression. While it can be said that this is indicative of the emergence of the MMC from the conservative right wing, this is also a strategy in legitimating the group.

While the Michigan Militia Corps use the militia as a protest vehicle which demonstrates a challenge not only to institutional politics, but a more extreme view of threats to values. In saying so, the strategy of the MMC is also to de-emphasizes the militia identity in favour of mainstream political association with the Republican Party

and mainstream Conservatism. The result is that the MMC appear closer to, or attempts to appear closer to, 'mainstream' politics, with their party and ideological identification. Tom Wayne identifies most of his members as Republicans, and the issues discussed in the newsletter are typically associated with Conservatism, such as traditional values, the value of the family, and the fear of liberal values in policies such as education.

However, in the way the group portrays its issues and grievances, there also appear to be a number of contradictions. While they reject conspiracy theories, they talk about conspiratorial groups such as the CFR, the trilateralists, and the bilderbergers, and discuss the Russians and Chinese crossing the Mexican border to infiltrate America (Wayne 1999). While ridiculing other militia groups for this, and stating that they are "doom and gloom", they also replicate the fears of decline and a slippery slope towards Orwellian existence. Their objective is clearly one of gaining legitimacy, using the militia when it is expedient to do so, but rejecting it when they seek to be closer to institutional legitimacy. The emphasis on militia themes or 'mainstream' themes also appear to be contingent on the audience. The internet update and the radio programme are diluted of conspiracy theories because of the fear that it will affect their legitimacy and alienate supporters.

CONCLUSION

This thesis sought to demonstrate that the militia movement is a political protest movement that challenges the legitimacy of the modern state on the basis of values. The theoretical preconceptions and assumptions surrounding militias as extremists have tended to preclude the analysis of the political nature and objectives of the militia movement. In approaching the militia movement in terms of its political nature and objectives, this study sought to explain the elements of right wing extremism in their protest style. The goal of this thesis was to understand the militia movement and what it says about the nature of legitimacy, protest and right wing extremism in the United States.

This study demonstrated that legitimacy, political protest, and extremism are not mutually exclusive when understanding the militia movement. Rather, protest has taken increasingly extremist styles and forms to challenge the legitimacy of modern authority. Militias can be understood to protest the legitimacy of the government based on values. Legitimacy theory must account for values as criteria to understand the nature of legitimacy and protest in the United States; when the behaviour and policies of government are incongruent with the values of society, or groups within society, fragmentation and protest can result, as shown by the militia movement.

From chapter one, Weber's theory of Value-Rational legitimacy was developed in this thesis to demonstrate that the protest against the modern State involves an appeal to values. The militia movement is symptomatic of fragmentation over values of the political culture, which define legitimacy in the American context. Theories of political culture and the examination of American political culture revealed that the basis of the protest movement for the Militia of Montana and the Michigan Militia Corps is Value-Rational. This means that their oriented social action is Value-Rational, and that their criteria for legitimacy are also Value-Rational, in terms of the beliefs, symbols and rules as they are demonstrated in governmental output. This type of legitimacy is the standard with which they protest against Legal-Rational authority.

Chapter two demonstrated that challenges to the State by social movements involve a type of conflict where the objectives, strategies and tactics are geared

towards legitimization of the movement, and the delegitimation of the State. The movement attempts to use the values of the political culture and specific strategies and tactics to legitimate the militia group, while delegitimizing the State. However, as chapter two demonstrated, this process is an interdependent and often symbiotic process of legitimization. Legitimation is a dynamic process that involves reactions by the State (and ideological state apparatuses), and the militia movement. As a result, what is evident is that labels and definitions of 'extremists,' 'deviants' and 'criminals' are part of the conflict process, used against the movement to delegitimize their political validity. Thus, definitions and understandings of the movement and the legitimacy of the State can also change as a result of the process, based on the subsequent success or failure of legitimation and delegitimation.

Chapters three and four analyzed the case studies in relation to the theories and hypotheses presented in the first two chapters. Both the Militia of Montana and the Michigan Militia Corps evaluate the relationship with authority as one of domination and compliance that subordinates the people to illegitimate relationships of power and bureaucratic and legal administration that characterize Legal-Rational authority. The perception of modern authority is that of centralized, bureaucratic administration is unable to be responsive to the values and needs of the people. Legitimate authority must respect, maintain and preserve the values defined by the political culture. The Militia of Montana and the Michigan Militia Corps perceive that these beliefs, symbols and rules which specify the ideals and norms of the political system and define legitimacy in the American context are somehow not being adhered to, or followed by government. The protest behaviour of these case studies is an example of the use of Value-Rational legitimacy to highlight the neglect of values, and to protest against Legal-Rational authority. The conflict behaviour of these groups with their opponents reveals that several strategies and tactics are used to legitimate the movement and delegitimize the State.

From the analysis of the case studies in relation to the theories presented in this thesis, several conclusions, predictions and recommendations can be made in relation to the militia movement and what it can teach us about right wing extremism, protest and legitimacy.

Protest

The analysis of the militia movement as a political protest movement has demonstrated a number of things about militias, social movements and Value-Rational legitimacy. A development of Weber's Value-Rationality enables an understanding of political and social protest movements who conflict over legitimacy and values. Theories of legitimacy have focused on consensus and stability which use popular opinion as an indicator of legitimacy. As a result, these theories ignore the perspective of groups like militias who represent fragmentation, because they are of an 'unpopular' opinion in relation to state and society. The rule centric perspective that dominates legitimacy theory reflects this perception that groups like militias are insignificant indicators of a legitimacy conflict.

What is required is a different perspective of legitimacy and political culture that recognizes behaviour which is protest behaviour or non-compliance against types of domination such as Legal-Rational authority. Scholars who have examined Value-Rationality have not developed or applied the theory of legitimacy to protest in modern society because it was misunderstood. Rather, this study sought to show that Value-Rationality can exist simultaneously with Legal-Rationality, and it does not have to exist independently with its own administration type. The appeal to Value-Rational legitimacy does not require the abolition of Legal-Rational domination. The modern State cannot function without some level of bureaucracy and therefore it cannot be eliminated, as Weber recognized.

Further, Value-Rational legitimacy has not been used to explain behaviour within a political system, and to characterize the type of domination and compliance, or non-compliance, that groups in society appeal to. Value-Rational legitimacy demonstrates that competing forms of legitimacy exist and are appealed to by groups in society who challenge the legitimacy of the State and highlight the neglect of values by their protest. Value-Rationality challenges the nature of the modern State. While Legal-Rationality defines the nature of authority, Value-Rationality defines the nature of the protest. Value-Rational forms of protest demonstrate that groups like militias appeal to values in the political culture for

their revolutionary potential. It is a type of legitimacy that enables protesters to challenge the nature and character of the modern State. Thus, militias attempt to legitimize their protest by Value-Rational legitimacy because of the appeal to values which locates power as vested in the people and outside the State. While theories of social movements highlight the value orientation of movements, they have not been able to demonstrate the process as a conflict in which alternative legitimacy formulas, drawn from the same values of the political culture, are used to challenge certain types of domination.

Value-Rational legitimacy as a protest legitimacy also demonstrates that compliance on the basis of values does not preclude the belief in traditional, legal or charismatic forms of domination. Value-Rational legitimacy shows that it is possible for militias to believe in legal, traditional and charismatic legitimacy, but in the context of the political culture as a value system. This can be explained further.

Weber recognized the existence of competing forms of legitimacy, as demonstrated by the conflict between Legal-Rational legitimacy and Value-Rational legitimacy. What this also means is multiple motivations for compliance and corresponding forms of domination exist simultaneously in any society. Pure types of domination never exist in reality, and in any modern society other forms of domination can be shown to exist. Value-Rational legitimacy acknowledges this, and accepts not only the necessity of some legal-rational bureaucratic functioning, but the appeal to law, tradition and charisma.

The political culture encapsulates the beliefs, symbols and rules which legitimate authority. Within the political culture, traditions, customs, laws and historical American figures who militias define as charismatic, are also part of that political culture. Thus, it could be said that Value-Rational legitimacy also encapsulates Legal-Rational legitimacy in terms of rule values, Traditional legitimacy in terms of valuing custom and tradition, and Charismatic legitimacy in terms of revering figures such as the 'Founding Fathers' who are the authors of these mythical narratives, symbols and legal documents. When militias use Value-Rational legitimacy, they are not precluding compliance based on these other forms of legitimacy. However, it is Value-Rational legitimacy which corresponds to their orientated social action. It is Value-Rational legitimacy which encapsulates tradition, rules and charismatic leaders as belief values, symbols or rule norms reflected in

governmental output. This is what defines the Value-Rational form of domination and its legitimacy. Value-Rational legitimacy is the expression of all of these values in terms of political culture. This is why militias do not follow traditional legitimacy in the Weberian sense of habitual compliance or because 'it has always been done that way', or Legal-Rational legitimacy in terms of fears of sanctions for non-compliance. Rather, militias distinguish between what is 'legal,' and the ideal of what is 'lawful.' They appeal to a tradition which implores active protest against a tyrannical authority, not habitual compliance. Thus, Value-Rational legitimacy encapsulates the spirit and motivation of traditions, laws and charismatic leaders, as they perceive it to be part of the political culture. It is this political culture as a value system which is used to challenge the legitimacy of the State. Thus, although Value-Rational legitimacy may be inclusive of other types of legitimacy, protest in modern society is defined by the conflict between Value-Rational legitimacy and Legal-Rational legitimacy. It highlights the importance of values in securing legitimacy for the State.

Value-Rational legitimacy also demonstrates that the militia movement is indicative of a type of protest reaction to modern authority. Modernity theory has sought to explain the reaction of militias to the end of the Cold War, globalization and interdependence. Changes in the international order have affected militias which have caused them to exaggerate 'localism' – the attachment to ideas and form of local autonomy which provide a sense of identity and sovereignty. Theories of militias and modernity have sought to explain the emergence and nature of militias in a number of ways pertaining to the end of the Cold War, the need for ideological enemies and the general reaction to globalization. However, militias need more than an enemy to placate their grievances. Also, the end of the Cold War provides a simplistic explanation of a reaction to changes rather than protest behaviour related to a specific cause. Further, it is not the global domination that is reacted to, but what global domination reflects about local domination for militias. The interplay between global and local grievances and how this affects the relationship between citizens and the State need to be examined further. The grievance of militias is with the legitimacy of government and expressed as a reaction against modern authority, which is understood as the interdependence between local and global domination. The problem is not global, the explanation for the fears and threats to local problems are global. The protest of militias exhibits the following characteristics and tendencies.

Firstly, what characterizes this reaction to modernity is the way militias perceive the nature and role of the State in relation to citizens. This perception is one where the values and principles that locate power with the people are used to measure and challenge governmental legitimacy, such as Natural Law. What this also indicates is that modern protest will probably increasingly adopt arguments that seek to locate authority as originating outside the State; in nature, in god, or in arguments that explain the rationality of the individual over the institution which dominates them. Natural Law is used by the militia movement to legitimize popular resistance, revolution, and the demand for legitimate authority to respect and adhere to natural rights and revolutionary values. These values are appealed to precisely because they provide the opportunity to challenge legitimacy.

Secondly, this type of protest is an extremist style of protest. The threat to values takes the form of conspiracy theories and ideology that locates the cause of a loss of values. The fears of threats are excessive, and translate into extremist styles of thinking about the loss of values or the 'American way of life'. Social and protest movement theory needs to account for extremist styles of protest that are emerging, as demonstrated by militias. At the same time, the militia movement demonstrates that this type of protest also is one that has emerged from a conservative movement that blurs the distinction between the mainstream and the extreme. It is a cultural and political conflict over values which merges the extreme with the mainstream.

Thirdly, the use of the militia as a political organization is indicative of a symbolic form of protest that points to tradition and values that need to be restored. The 'militia' ideal has been used by militias to combine the conspiracy style of thinking (of the need to protect against enemies, foreign and domestic) with the use of the political culture and American historical tradition. While the use of the militia ideal is novel, the combination of right wing themes and values is an effective way for the militias to protest. The strategy in using the militia as a means of legitimating the protest while at the same time expressing and drawing attention to grievances, as well as using the militia as a means of extra institutional behaviour, will probably cause the militia concept to be utilized in the future. As such, the use of the 'militia' could be legitimated as a form of expression and participation for right wing groups, and lead to increased acceptance by the public.

Fourthly, as a social movement, the militia movement highlights the need to understand the strategies and tactics of the groups in the context of conflict and legitimation. The militia movement's use and interpretation of the Constitution is an extremely detailed and ambitious use of tradition and values to legitimate the movement's ideology. This has not been examined in terms of social movement tactics and strategies. The militia movement highlights the need to understand legitimation and delegitimation as an aspect of social movements in their reciprocal relationship to the State to highlight the nature of the conflict. Social movement theory needs to account for legitimation as a strategy in a conflict over values. Further, modern movements are about primarily educating the public to achieve change.

Fifthly, the objectives of the protest take several forms, including policy demands and government reform in practices and procedures.

From this, the examination of the Militia of Montana and the Michigan Militia Corps reveals several things regarding protest in terms of their ability to achieve their objectives and the way that the government can respond to the protest. The militia movement has limited ability to achieve objectives in affecting or resisting change because of several constraints of the political system. The political opportunity structure is relatively closed to the militia movement, either in terms of gaining access to institutional power and becoming part of the 'status quo' or in terms of influencing policy. The questions to be answered include, can the militia movement protest be accommodated given the constraints of the system, and the inability and unwillingness of government to accommodate the militias as a protest movement?

Constraints

There are several constraints that shape the direction of the militia movement. Firstly, the nature of the protest as Value-Rational is believed by some social movement theorists to be constrained within the American political system. The Value-Rational orientation of militias is presumed to prevent them from translating their grievances into policy demands to affect or resist change. Pakulski believes that value conflicts between social movements and the State are difficult, if not impossible to resolve, because the value orientation of social movements preclude such

grievances from entering “the existing socio-political system let alone be resolved within them. This is because they do not take the form of consistent policy demands, and because they limit the scope for compromises” (Pakulski 1991: 62). Further, the ideology of militias is perceived to have the objective of rejecting democratic procedures, and therefore cannot be accommodated through democratic means.

Secondly, the constraints of the political system and the formal vision of participation and expression means that protest will have to find expression through the two party structure to affect change: “a rigid electoral structure has set definite limits on the role of protest movements left and right, in American life...any social movement which hopes to effect or resist social change in the US is now forced to operate within one or the other of the two parties” (Bell 1964: 49).

Thirdly, the ability to accommodate militia protest is constrained given the perception of the nature of the protest and the characterization of the protesters as ‘extremists’. The current attitude towards militias by the government, the media, monitoring groups and academia will continue to be one of the most constraining factors on the ability of the militias to affect change. The ability of the government to concede points of grievances to the militia movement are also hindered by the way the militias are perceived as protesters. The identity of the protesters largely defines how the protest is perceived and managed. This also affects the willingness and ability to give militias representation as a group.

Accommodating Militias?

One of the objectives of this thesis was to understand how to deal with militias, and how to appropriately respond to the political protest. The ability to do so is contingent on recognizing the constraints of the political system, the constraints on the government (perceived and real) and the problems or the possibilities the militia movement faces. If the government saw it as appropriate to accommodate militias, the possibility exists.

The values and ideology of the militias can be accommodated without compromising democratic principles because militia ideology does not reject the underlying values and principles of the socio-political order. Instead, the militias challenge legitimacy on the basis of government behaviour and policies, which can be

reformed based on the negotiation of legitimate grievances. Further, the value conflict of militias can be accommodated. Protest against the government can be addressed through reform because of the way legitimacy is defined as the congruence between governmental output and values is predicated on reform (Stillman 1974).

While there could be an increased acceptance of militia protest, and the political opportunity structure could be opened up, the militia movement must demonstrate that their objectives of change and recommendations for policy are realistic and can be accommodated. Do they have realistic suggestions for change that would enable grievances to be resolved?

The Militia of Montana focus on governmental policies and behaviour that pertain to the reasons for their emergence: federal abuses, law enforcement, accountability for actions, and the inadequacies of government representatives require reform. What they seek is justice and accountability for Waco and Ruby Ridge, which are seen as symptomatic of a trend in government towards unaccountable behaviour and removal of rights of citizens. The Militia of Montana advocate that hearings are held and government agents and officials prosecuted in court for their behaviour at Waco and Ruby Ridge. They want exposure and accountability for governmental abuses that caused their emergence and protest in the first place: "so what would it take to cause the militias to disperse? It will take a return to pure constitutional rule. Real constitutional rule. It will require the vigorous prosecution of any federal or other person who violates the civil rights of the citizens under the color of authority" (*Taking Aim*, 4, 10, 1998: 13).

While the Michigan Militia Corp also want justice in terms of Waco and Ruby Ridge, they also advocate more radical change. For example, Tom Wayne talks about returning to gold and silver backed money, as it was prior to 1933 (Wayne 1999). The MMC appear to have more utopian conceptions of change and a sense of urgency to stem the tide of change, rather than be more progressive and reformist. The problem with influencing policy from these perspectives is that they are often unspecified or unrealistic alternatives or suggestions. However, the Militia of Montana and the Michigan Militia Corps clearly advocate reform of government policies and behaviour that surround the issues of Waco and Ruby Ridge.

In terms of the objectives of the protesters related to the identity of the protest, the ability to accommodate militias appears fraught with difficulties. It is clear that

the Militia of Montana and the Michigan Militia Corps do not, and cannot, claim specific grievances or a redistribution of power on behalf of themselves as a specific group, but rather they have claimed to do so on behalf of all American citizens according to their interpretation of the militia ideal. This makes the matter of concession extremely difficult for the government. As such, the perception is that the groups do not have any specific grievances that pertain to militias per se, in terms of their identity, or the distribution of valued goods, the lack of access to power.

What needs to be recognized is that the grievances of militias pertain to corruption and abuse, and the nature and character of modern authority. The objective of the militia movement is to inform the public so that the public will ‘wake up’ and put pressure on government to reform policies and behaviour. However, without specific identity demands and without the justification for consistent policy demands, the movement is perceived as revolutionary rather than reformist. This constrains the movement from affecting change, and the government perceives that it should not, and cannot, instigate any realistic governmental reform because of this. Based on these constraints and the willingness and ability or inability to accommodate militias, the protest can move in several directions.

Protest Directions

There are a number of possibilities for the direction of militia protest, which can be considered according to two directions. Firstly, the protest can continue in the moderate direction. Secondly, the protest can become more radicalized.

Moderate

From the analysis of the Militia of Montana and the Michigan Militia Corps, the objective in relation to the protest is primarily to become legitimate, that is, to be recognized as legitimate. The militias seek to present themselves in a way that the status quo accepts as legitimate, based on the congruence between the values of the militia movement and the wider public. After all, their legitimacy is predicated on support from the public – the American people who they claim to represent. Both the

Militia of Montana and the Michigan Militia Corps advocate the use of conventional means of dissent and protest, including writing to representatives, lobbying government officials and seeking to expose corruption through legal channels. Militias also appear to believe that they are conforming to acceptable means of extra institutional protest by emulating the militia ideal. Militias seek to affect change largely through reform rather than revolution, and this is further reinforced by their conceptions of legitimacy. If the militia protest is somehow conceded as legitimate, and concessions are made, there will be a moderating effect on the protest.

This moderating effect also manifests itself in the move towards institutional acceptance. This presents a dilemma for the militias, as indicated by the Militia of Montana and the Michigan Militia Corps. Moving towards institutional acceptance is to compromise the Value-Rational character of the protest. As such, the militias must always remain extra-institutional. However, the moderating effect moves protest in the direction of institutionalization or dissipation. It can be concluded that the political opportunity structure will cause the protest of militias to be increasingly channeled into one of the two parties because this is the way extremist expression is moderated through the political system.

The Michigan Militia Corps seem content to act through the Republican Party for change precisely because it is more inclined to seek institutional acceptance and validation by government. This is why the MMC is willing to compromise on the identity of the militia and 'de-emphasize' it when expedient. Perhaps they want recognition, in any form that it comes, whether it is through the 'militia' or through institutional acceptance. The Militia of Montana at this stage does not voice acceptance of acting through the parties by party identification and voting. This may reveal the nature of the militia movement as represented by these two groups. The Michigan Militia Corps, although extra-institutional, is using the 'militia' to appear more radical, and using the party and ideological (conservative) identification when seeking to appear more 'mainstream'. The MMC also appear to want institutional legitimacy and influence more, based on motivations that are unclear. Do they want legitimacy just so they can gain more attention, or does it actually allow them to achieve their objectives? Is the objective to become part of the status quo? On the other hand, the Militia of Montana has sought to distance itself from anything institutional, rejecting party identification, which could direct them towards

radicalization. The Militia of Montana try to legitimate themselves solely through the use of the 'militia'; it uses extra institutional means, but also conventional and acceptable means of protest.

However, like the Michigan Militia Corps, the Militia of Montana seek legitimacy, and radicalization in the form of violence or terrorism is perceived as illegitimate. This indicates that militias and the government conceive of legitimation in the same terms because they are operating with the same cultural norms and ideals. Protest will conform to the culturally acceptable limits of protest. For militias, they see the use of the 'militia' organization and symbol as a traditional means of protest.

Given the opportunity structure and the goals of the militia movement, they will likely continue to try to move towards institutional acceptance and legitimacy, where they will remain within the acceptable limits of protest. For legitimacy, they claim to be cooperative and to work with government in exposing corruption, and changing policy. As a conservative movement, the more legitimacy the group get, the more they may act through the Republican Party, aligning themselves with politicians who will take up their cause or articulate their views. The movement already has Republican sympathizers in government, including Representative Helen Chenoweth of Idaho who was "elected to Congress with the help of the Idaho Militia – now openly espouses her organization's cause in Congress" (Swomley 1995: 11). She is quoted in a *Los Angeles Times* article that citizens "have a reason to be afraid of their government" (Richter, 6 May 1995: 1). Others who have been labeled 'sympathizers' include House Speaker Newt Gingrich (Richter, 6 May 1995: 1), Representative Steve Stockman (who was quoted by the MMC), and who has written an article published in *Guns and Ammo* in June 1995 which attacked the motivation for the Waco siege by the Clinton administration (Richter, 6 May 1995: 1). Also, Senator Craig Thomas, a Republican from Wyoming has been quoted to have said "I don't disagree with their arguments" (Richter, 6 May 1995: 1). What these politicians agree with is that there is a reason to fear government, as evidenced by the events at Waco.

While the ability for the militia movement to articulate its view through the party structure may be possible, this still does not resolve the dilemma for militias in terms of institutional legitimacy and extra-institutional legitimacy. As a social movement, they challenge the morals and principles of those in government, and must remain separate from them. While the militias may function as a type of 'pressure group' in

that they would try to influence a party to interpret values and norms as they do (Genovese 1971: 178), this methods require the use of institutional channels, and thus would also change the nature of the movement from something that has momentum into something which requires institutional legitimacy.

The maintenance of moderate protest is also contingent on the number of people that come to support or join the militia movement. Tom Wayne of the Michigan Militia Corps states that they have more support in 1999 than they did when the group formed in 1994 (Wayne 1999) and the Militia of Montana also maintain that their support is growing,¹ especially since the Oklahoma City bombing. While this could just be a legitimization tactic, the fact that they believe they have mass support, or they are hoping to maintain the appearance of mass support will likely keep the movement moderate, because moderation is equated with legitimacy. The MMC claim that they are more moderate today than before, because now that the media hype associated with the bombing has died down, the movement is attracting Americans to the movement because of the political issues, and not because they are hoping to use the militia for their own racist agendas.

Radicalization

The lack of opportunities for protesters as extremists, and the perception of militias surrounding their extremism could serve to exclude them to such an extent that the only viable means of change is perceived as extremism in the form of violence and revolution. Thus, the active process of marginalizing militias and excluding their political expression except through institutional channels, and the rejection of their extra-institutionality, could serve to radicalize the movement. The movement could become radicalized because of frustration over the lack of access to power. By keeping any form of extremist expression from recognition as political protest and a means of input, these groups could be led to believe that the only way to change things is through revolution or civil war. It could be said that the way militias are treated fosters a more extremist way of looking at change from the militia perspective. As

¹ Exact or even approximate numbers of members is extremely difficult to measure or predict for the movement, because the groups within the movement are likely to exaggerate their support for legitimization, or like the Militia of Montana, claim not to have a membership list and do not declare any numbers. Further, the media overestimate the number to make the movement appear more threatening. Rather, public support can be gauged by opinion polls and assessing the governmental response to the groups.

Lipset says, “political systems which deny new strata access to power except by revolution also inhibit the growth of legitimacy by introducing millennial hopes into the political arena” (Lipset 1984: 90).

Further, the very grievances which have led to the radicalization in the first place remain unresolved and unacknowledged, so that marginalization only serves to potentially escalate conflict and increase a heightened sense of paranoia and suspicion that the government is ignoring them because it has something to hide. The way militias and their protest are perceived defines the ways in which groups are able to achieve change. The current perception confines their ability to achieve change through violence and revolution. Militias seek to operate within the parameters of legitimate political expression and participation as they see it, which in their perception could justify revolution and violence as a means of change if the movement radicalizes. Militias celebrate the American tradition of revolutionary protest against illegitimate government. While “classical liberal theory argues for popular resistance against tyranny” (Wilkinson 1977: 20) it “leaves citizens helpless to effect it. This dilemma has been accentuated by the development of modern weapons technology which has created an enormous and ever increasing gap between the military power of the State and the military potential of popular resistance” (Wilkinson 1977: 20). Militias might be more inclined to stockpile weapons in order to fulfill this ideal and increase their ability for popular resistance in the vision of the ideal militia, because this type of resistance cannot be realized by institutional means.

When they are marginalized, the possibility is that their marginal expression will be channeled into even more extremist ways of participation. All of these factors must be considered as possibilities. However, it can also be concluded that there will be a continued moderating effect on the movement because of its objectives and the way it perceives change. While there is potential for radicalization of the movement based on the evidence that the political opportunity structure is closed to them, this is probably not the case for militias. The conspiracy thinking which characterizes the nature of the movement will prevent the possibility of revolution, because as Williams says, “the mentality of suspicion actually subverts the possibility of a true revolution” (Williams 1996: 924).

Also, the direction of the movement in terms of radicalization or moderation is contingent on the evolution and development of objectives, strategies and tactics. For

a movement to “survive...a movement must be able to sustain the leverage it has achieved through the use of such tactics” (McAdam 1997: 340) by moving towards institutionalization or adapting and evolving their non-institutional tactics (McAdam 1997: 340). The Militia of Montana, when asked whether they can see their tactics or strategies changing, simply responded, “we will have to wait and see. We have to move with the times I guess” (Trochmann Interview 1998). The Michigan Militia Corps believe that the key to survival and moderation will be achieved through more time and distance from the Oklahoma City bombing (Wayne 1999).

Future Protest

Modern protest is demonstrating a particular trend that is a reaction to modern governmental authority. These trends are likely to continue in the future. Firstly, protest will increasingly take the form of survivalist communities which distance themselves from centers of power.² Theories of extremism have sought to explain the geographic isolation which causes extremism (Lipset 1981: 76), but not how isolation is a deliberate form of protest for the right wing extreme (Barkun 1995; Weinberg 1993) against Legal-Rationality. Protest against modernism will increasingly take preparedness and survivalist forms, where retreat from centers of power and bureaucracy are ways of protesting removal from government control, and not just a symptom of alienation. The belief in survivalism and self-sufficiency, coupled with apocalyptic and millenarian beliefs will increase the probability that protest will take the form of ‘retreat’, using the ‘militia’ in its function and role as a preparedness organization. This trend towards retreat and isolation also increases the probability of sieges with law enforcement. If American society is not better equipped to deal with survivalist individuals and communities who are suspected of illegal weapons possession, more conflicts could occur. What is required is a better understanding of

² Already, numerous compounds and survivalist type communities are said to be commonplace on the right wing extreme. Within the ‘patriot movement’, the creation of covenant communities, such as Bo Gritz’s “Almost Heaven” is an example of this modern form of protest. Bo Gritz is considered to be part of the patriot movement, and by some media is even hailed as a militia movement ‘leader’ by the media because of his reputation as the real ‘Rambo.’ He has been “decorated 62 times for valor in combating America’s foreign enemies” and “went back for those the government left behind!...A renaissance Green Beret and American original, Bo Gritz arrested the FBI at Ruby Ridge and brought the Weaver Family to safety” (*Preparedness Expo Program* 1998: 5).

the political protest nature of these communities and the combative mentality that law enforcement and these groups have towards each other.

Secondly, this trend could also demonstrate a radicalization of the protest. The style of protest could become more fundamentalist in nature, turning to more religious forms of ideology. Further, Natural Law arguments that are currently used by militias in their secular form, could become increasingly religious.

Thirdly, the movement could become increasingly nationalistic, manifesting itself in arguments advocating self government in communities, increasing State's Rights, or even the secession of the states from the Union.³ Also, the militias could develop a more "exaggerated form of nationalism" (Barnette 1972: 13) called 'superpatriotism' which would focus more on the role of God in directing the destiny and will of the nation.

Fourthly, protest will also come increasingly from the conservative right in the form of extremist resurgence. The emergence of extremist protest from conservative forces can be explained by value changes and the nature of the policy regime in relation to conservative or liberal values. If a conservative policy regime were to be in power, the governmental output from this type of regime could be said to be more congruent with the values of groups like militias. Studies have not explored the legitimacy of a type of regime and its connection to the emergence and nature of right wing extremism. Because the threat to values emanates from an identified government that is liberal and even secular, and conservative restoration is sought, protest may cease if a conservative policy regime is perceived. This warrants further study, as it can be used to explain the nature and emergence of extreme conservative groups in relation to values and legitimacy. Already, studies have been done on the nature and predictability of right wing resurgence attributed to several factors. These include generational change and 'mood' change⁴ in the electorate, as well as cycles of Liberalism and Conservatism. These factors could be used to explain challenges to

³ This trend within the 'Patriot Movement' has already been indicated by groups like the Republic of Texas, which stated that Texas was illegally annexed. In May 1997, one faction of the group took hostages and called for a referendum on Texas becoming an independent nation. With militias, the argument has largely been confined to self governance in communities and State's rights, although the Militia of Montana has advocated the state of Montana as an individual nation.

⁴ The American electorate can be said to have a general disposition or 'mood'. Stimson defines mood as a "scientific alias for the spirit of the age...mood here captures the idea of changing general dispositions" (Stimson 1991: 18). The concept of 'mood', "conceived in a liberal-conservative continuum...has served as a convenient method for classifying ears, distinguishing for example, between the liberal 1960s and the conservative 1980s (Durr 1993: 158).

governmental legitimacy. These moods alternate in cycles, and have been documented by several scholars, including Schlesinger, who shows that “such a pattern is discernable throughout our history as an independent nation – there has been a regular alternation of these moods since 1776” (Schlesinger 1986: 240).⁵ This theory could be further tested in relation to militias to understand the nature of legitimacy and phenomena such as mood change, value change, and cycles.

Dealing with Militias and Protest

In order to understand how to deal with the protest of militias, two things should happen. Firstly, militias need to be recognized as political protesters. Secondly, there must be an increased tolerance for political protest in general, for modern forms of protest, and for militias as protesters.

Militias as political protesters

There are two components to the militia protest: their identity as protesters, and their protest behaviour. Based on the perceived threat of the nature of the protesters as extremists, militias have been depoliticized, dismissed or subject to repression and control. Further, as a result of the stigma surrounding the identity of the protesters as extremists, their protest behaviour is not recognized or valued as political protest. This indicates the need for a better understanding of the forms and evolution of social movement and protest.

Militias need to be differentiated as extremists from categorizations and definitions that delegitimize their political objectives, their grievances and the nature of their protest in terms of racism, anti-Semitism and violence. The government needs

⁵ James Aho has documented periods of right wing resurgence following Schlesinger’s theory of liberal and conservative moods and cycles, based on the cultural and psychic need to have enemies. The cyclical phenomenon is related to the values of different generations, which accounts for alternations between conservative and liberal regimes, and the reaction by the right wing. This has been done with some predictability: “As early as 1924, Arthur M. Schlesinger Sr. was invoking a thirty three year generational standard to successfully forecast that hooded racism, bigotry and foreign isolationism of the roaring Twenties would give way by 1932 to democratic enthusiasm and foreign interventionism. In the same article he correctly predicted that by 1947 a new outbreak of rightist provincialism would again sweep across the country” (Aho 1994: 99-100). Aho demonstrates that Schlesinger’s predictions were accurate, which led to the rise of the New Right which put Reagan into power. Further, it was predicted that by the early 1990’s the conservative mood would lead to a right wing resurgence (Aho 1994).

to be able to distinguish between different types of extremists and the basis of their protest. This requires better information and classifications of extremists, which safeguards against stereotyping. This would also allow the government to also appropriately respond to groups that do pose a threat in terms of terrorism. Modern forms of protest can come in extremist type packages, which need to be distinguished from conventional and stereotypical understandings of extremism which delegitimize their political nature and objectives.

Also, the 'militia' needs to be acknowledged as a symbolic means of protest and a political organization used to express grievances and achieve political objectives. Theories on extremism and social movements require a greater understanding of the nature of social movements and protest in the modern context. The emergence of new protest movements with extremist styles requires a new understanding and approach to protest. Theories of protest must account for the nature of the protesters in the context of global and national structures, which have changed the role of the State and the relationship to citizens, with demands or 'input' which requires the congruence between values and governmental output.

Thus, militias need to be recognized as political protesters with legitimate and valid political grievances, but in the form of extremist expression. The style of protest and the nature of the extremism are a way of communicating the grievances against the government. In other words, the protest should not be rejected because of the perceived nature of the protester. In order to deal with the militia movement in the most appropriate manner, the nature of militia extremism and protest needs to be understood.

Toleration for Protest and Militias

It could be said that toleration of protest is the key to dealing with the militia movement. As Wilkinson states,

An operative liberal democratic society must learn to afford and tolerate high levels of protest, turbulence and extra parliamentary agitation. In a complex society, with rapidly changing needs and political demands, and slow moving and frequently insensitive bureaucracy and political leadership,

protest is more than simply a safety valve: it should be regarded as a valuable mode of political communication, criticism and democratic solution in its own right (Wilkinson 1977: 28).

Protest is valuable and important because it allows groups in society to politically communicate their grievances and to draw attention to issues, and protest is often the means of ushering society into required adaptation and change. Protest is not an aberration or irritation that American society must cope with. It is significant and important to treat these grievances as legitimate, for the consequences of ignoring legitimate grievances can be detrimental. It is a means of communicating

A vote of no confidence on social and political systems, it is the warning that structures and institutions require consideration, it is the signal that rates of change and stresses are greater than actors can tolerate and it is in many ways both itself and by its influence on authorities the reason for change (Burton 1979: 135).

However, the State has a tendency to overreact to the emergence of all forms of protest. Although some forms of protest behaviour and tactics have become legitimate and accepted, this can only be posthumous because of the nature of the conflict.⁶ In this way, David Kopel says that “it is easy for many Americans to see, in hindsight, the legitimacy of the viewpoint of Jeffersonians, of southern abolitionists, of labour organizers, or critics of militarism and of the civil rights movement” (U.S. Congress. House. 2 November 1995: 180), but right now “it is not so easy for some Americans to respect the fundamental concerns of many millions of their fellow citizens who are frightened by the federal government” (U.S. Congress. House. 2 November 1995: 180). It could be said that it is too early to tell how this movement will be legitimated, and that the accommodation of militias is contingent on the outcome of the legitimation process. Currently, however, the use of the militia as a political organization and symbolic means of protest has been depoliticized and dismissed as illegitimate.

⁶ Protests which critique the government, even the civil rights movement, which is now hailed as legitimate protest and which protests like militias are inevitably compared to, were also met with repressive government actions and labels of extremism. It was said that “the nebulousness of the ‘black nationalist hate groups’ label was used because of ‘the lack of consensus in the [FBI] as to which groups constitute a legitimate threat’” (Gotham 1994: 211). The movement was labeled as ‘communist’ and the FBI were actively involved in investigating the protesters.

Recognizing the political voice of militias is not condoning or encouraging extremism in the form of racism, anti-Semitism and violence. To deal with legitimate issues while condemning objectionable behaviour or beliefs is part of the negotiation of the conflict. It should be recognized that the basis of the protest of militias can be addressed through policy and reform. In order to do this, the tendency to reject the legitimate grievances based on objectionable character or beliefs of the protesters must be resisted. The way to deal with the militia movement and the grievances, demonstrated by the Militia of Montana and the Michigan Militia Corps, is to deal with the issues that led to the emergence in the first place. In this way, Waco and Ruby Ridge – the issues that have become the rallying cries of the movement – must be dealt with. This will help to either keep the movement moderate or to remove the need for protest altogether, as well as preventing or reducing the possibility for violent confrontations. Thus, the goal should be to encourage the moderating effect and prevent radicalization of a movement that can be seen as relatively benign.

Extremism

The tendency in the literature has been to categorize militias as right wing extremists in terms of racism and anti-Semitism, rather than in terms of extremist styles of thinking based on fragmentation over values. The reasons for defining militias in terms of the most dangerous tendencies of extremism has been due to the lack of conceptual clarity and the lack of alternative definitions and perspectives. The use of racial or religious intolerance and violent behaviour as criteria for understanding the militia movement has caused militias to be inaccurately portrayed and misrepresented in terms of their political nature and objectives.

Both the Militia of Montana and the Michigan Militia Corps can be located on the extreme or radical right by their style of thought and the use of radical right ideology. What this 'extremism' reveals is a style of thinking based on a fear of government due to events such as Waco and Ruby Ridge and the loss of values as reflected in governmental output. While this movement is defined by its political objective – to challenge the legitimacy of government based on these beliefs – several

things must be said about a 'traditional' definition of extremism and the existence of racism and anti-Semitism in the militia movement.

Firstly, from the research conducted and the definition of extremism used in this study, the militia movement is not based on religious or racial intolerance. The movement appears to be void of white supremacist ideology or characteristics, which accounts for the absence of any racist or anti-Semitic rhetoric from the Militia of Montana and the Michigan Militia Corps. However, it can be said that racism and anti-Semitism, while not blatant or obvious, may exist in more latent and covert forms which requires further studies of extremist movements like militias. This study does not discount the possibility of characteristics of racism and anti-Semitism existing within the movement, but what form this racism takes, and at what level it affects the movement requires closer examination.

While this movement is said to have a heterogeneous base, the militia movement may contain members or leaders who are racist or anti-Semitic by virtue of containing any cross section of individuals from society. Even further, the movement may attract these types of individuals more than other political organizations, as discussed below. However, the declared intent and objective of the movement is one of political protest not only void of racism and anti-Semitism, but a declared rejection of such beliefs. That being said, the byproduct of being 'extremist' is that it may attract and contain members or leaders with these objectionable views. Thus, at any level, the presence of racists and anti-Semites is a cause of great concern and requires further examination of the militia movement, particularly because of objective of obtaining legitimacy and the claim to speak for all Americans. Such an examination raises several questions about the militia in terms of the nature of extremist ideology, membership and leadership.

Militia Ideology

It has been stated in this thesis that militias explain their fear of government through conspiracy theories which are void of racism and anti-Semitism. Most racist and anti-Semitic organizations have operated on the basis of overt racism and white supremacist ideology. Racist organizations in history have rarely, if ever, hidden their agenda and nature because of their motivations and their objective to attract such

members. History has shown that right wing extremist groups defined by their racism and anti-Semitism have very rarely, if ever, hidden racist agendas. There is no reason to, for the basis of the movement and the means of attracting supporters hinges on these characteristics.

Since the primary objective of militias hinges on legitimation, militias recognize that the fastest route to delegitimation would be to reveal a racist or anti-Semitic ideology. One must question the possibility, then, of militias ever being able to express racist or anti-Semitic beliefs in this case without delegitimizing themselves and losing their support. Militias have apparently attracted their members on the basis of their political protest, so that if they were somehow revealing a hidden agenda, the assumption is that they would lose their heterogeneous base and the very basis of their protest would become illegitimate because the movement has been built from such political, non-racist objectives.

However, there should be a distinction between what is observable and manifest, and what may be latent or covert in terms of militia ideology. Since militias lack the ideology or content of a racist or anti-Semitic agenda, the possibility must be explored that it is somehow hidden or 'covert' as many contend. To this end, several observations can be made. Firstly, militia conspiracy theories appear to be void of racist and anti-Semitic content and therefore are a departure from the way conspiracy theories are conventionally defined in terms of right wing extremism. However, such theories may have been 'sanitized' for purposes of legitimation, and could still be compatible with racist and anti-Semitic beliefs. While it has been argued in this thesis that militia members have genuine political grievances based on real fears of government behaviour, it is also true that such fears could be exploited by white supremacist groups and explained in 'traditional' extremist terms and theories to members. Militias may have sanitized versions of these theories to comport with their political theory, but that such sanitization may not eliminate the possibility of ideological cross-over or connotations that could be exploited by racists and anti-Semites within the movement.

If this is a possibility, the question must be asked to what extent are militia members who are genuinely attracted to the militia movement for political reasons aware of any covert racism and anti-Semitism that militia conspiracy theories may be compatible with? How easy would the transition be for members to accept a racist

version of these theories? Secondly, is this the new face of racism, or a new form of racist strategy to maintain a legitimate face but to harbour covert agendas? If this is the case, how has racism evolved from its traditional forms and expression? How can researchers study or reveal racism in these forms without employing dubious interpretation based on predetermined beliefs regarding extremist groups? These questions could be addressed in further studies.

The examination of covert racism also raises the issue of how dangerous this form of extremism is. Lessons from Germany have told us that we need to fear and anticipate racism in overt and covert forms precisely because if such groups are not caught early and delegitimated and depoliticized, a situation similar to the rise of Nazi Germany could occur, where extremism became legitimized and came to power because such forms of racism were not safeguarded against. However, the experience with racism and anti-Semitism in America is that it is rarely hidden. What this also demonstrates is the further need for comparative studies of extremism in relation to covert and overt forms to understand these forms of extremism and their danger levels. If covert racism exists in the militia movement, how dangerous is it, and how can it be monitored beyond fears and assumptions regarding extremism? How can we monitor and cautiously approach political groups who have an extremist style of thought, but who appear to be void of racism and anti-Semitism without disregarding their legitimate political grievances? Studies of extremism should address different forms of extremist ideology, the distinction between covert and overt racism, and the implications it has for new types of social movements like militias.

Also, while racism does not appear to be overt, this does not mean that the movement should be dismissed as not dangerous. The evolution of this movement could become manifest into some dangerous form of extremism. The fears of external enemies corrupting American values, while currently void of overt racist rhetoric, taken to excess could become an equally dangerous form of xenophobia. Thus, while the case studies revealed a non-violent and non-racist or anti-Semitic movement, this study does not discount that there are potentials for racism, anti-Semitism and violence to become manifest beyond the extreme fringes of the movement.

Membership

As stated in chapter three, militias have a wide membership base, and the leaders and members include women, minorities, and people of various religious faiths. A political agenda drives the movement and defines it in terms of the political nature and objectives. However, despite this membership composition and that fact that members may be attracted to this political protest movement based on their genuine political grievances, this does not mean that racist and anti-Semitic individuals are also not attracted to the movement. Thus, the claim by Tom Wayne that the movement is not impervious to infiltration and manipulation towards this type of extremism requires further attention.

While militia leaders have repeatedly testified that racists are weeded out as soon as they are discovered, this also begs the question of why these types of members are attracted to these groups in the first place. If the movement attracts such members or contains them, this could be for several reasons. Firstly, there could be a mutual compatibility of white supremacist beliefs with the values espoused by militias. Although there is a categorical difference between declared militia values and ideology versus white supremacist ideologies, such members could be attracted to the militia because their white supremacist beliefs can be explained through the militia ideology. Secondly, such members may be attracted to militias because they are under the impression from the media that their local militia is where their racist and anti-Semitic beliefs will be accepted. The militia movement conveys this belief that the media spotlight, as Tom Wayne has said, had brought all the 'crazy' people out. Thus, militia leaders may genuinely believe that they are maintaining legitimacy by rejecting such members and censoring their views. Further, the connection between the Oklahoma City bombing and the militia movement may have attracted individuals with aspirations of being terrorists. However, militia leaders have not addressed how militia theories may resonate with racists and anti-Semites or potential terrorists. Thirdly, racists and anti-Semites may be attracted to the militia precisely because it has more attention and perceived legitimacy than white supremacist groups.

These questions regarding militia members demonstrates that further studies should be done on militia members and their motivations for being involved in the movement. Also, studies should seek to understand how members perceive the

movement's objectives and their perception of militia ideology. Further studies could be done to gauge how receptive militia members are to racism and anti-Semitism.

Leadership

This study has also found is that various leaders may have racist connections or histories, including John Trochmann. His dubious story about his relationship to Aryan nations does not have much credibility. While his political message is void of racism today, how are we to judge these leaders by their past? The Michigan Militia Corps has also experienced problems with their leadership. Leaders who have displayed objectionable views and who have jeopardized the legitimacy of the group have been promptly dismissed, probably maintain the integrity and perceived legitimacy of the group and movement. Militias are hypersensitive to claims of racism and anti-Semitism precisely because it detracts from their legitimacy – but is this also a case of ‘thou doth protest too much?’ If such beliefs do not surface under the militia movement, what does this say about militia leadership? Firstly, whatever John Trochmann's unrevealed beliefs may be, what his leadership has demonstrated in relation to the movement is that any personal views of a leader are subordinated to the political objectives of the movement. Secondly, did these leaders have dubious pasts and connections with racists groups because they had no other outlet for their political views? To this end, Ray Southwell of the Northern Michigan Militia who is believed to have racist connections as reported by monitoring groups is also reported to have said that he was willing to “sit down with Satan himself to talk about the militia” (1996 U.S. Dist. Lexis 19860; 949 F. Supp. 1303), and by implication, racists and anti-Semites because they would listen. If this is so, than not only are the beliefs of such leaders more amorphous and amenable to their target audience, but they may be willing to compromise their ‘moral high ground’ in favour of finding anyone receptive to the militia message, including white supremacists.

Thirdly, once leaders are delegitimated for expressing racist or anti-Semitic views, as in the case of Norm Olsen from the Michigan Militia, they are rejected by the group and the movement. Thus, there may be internal movement pressures causing them to suppress their individual views to prevent discrediting the movement. Does this mean the leaders maintain a public face, and are somehow able to translate

their racist and anti-Semitic beliefs to members without being exposed as such? What other motivations would such leaders have to hide their racist or anti-Semitic beliefs?

Other motivations may also explain why leaders who are racist and anti-Semitic may be hiding their beliefs. The suggestion that leaders may be motivated for monetary reasons should not be disregarded. In this sense, legitimacy is a type of currency. The production of patriot literature which is void of racist and anti-Semitic content, and is thereby appropriate for mass consumption, has created a new industry that militias have tapped into. Also, the examination of psychological reasons for militia leaders to suppress their beliefs may be explained through some need for credibility and some psychological need to be legitimized by non-white supremacists. Thus, what issues does this raise regarding the true nature and motivations of individual leaders and the militia movement? These motivations and the relationship between the leadership and the movement could be studied further.

It must be also stated that however much they are associated with the extreme, they can also be associated with the mainstream conservative right. The potential for more acceptance by the conservative mainstream is contingent on the legitimation of the movement, although the affinity with the conservative mainstream is clear for at least the Michigan Militia Corps. The militias are products of this conservative phenomenon that blurs the division between marginal and mainstream politics and movements and ideology. Militias "share some of their beliefs with more mainstream theorists, not only the NRA, but also one school of thought on the Second Amendment within the legal academy" (Williams 1996: 880). Berlet and Lyons believe that "it would be wrong to assume, as some in the media have, that all members of the armed Militias are marginal individuals on the fringes of society have no connection to mainstream politics" (Berlet and Lyons 1995: 24).

Militias are also tapping into the conspiratorial nature of the political culture and the fears of the public, the latest of which have emerged in the form of Y2K bugs, which enables the militias to emphasize the need for self reliance and preparedness, and the inability of government to help citizens in a time of crisis.

Dealing with Militias and Extremism

What is required is a recognition of the type of thinking militias adopt in relation to fragmentation and legitimacy, not an ideology of White Supremacy or the rejection of democratic forms of participation. However, there is a persistent effort to define militias in ways that delegitimize them. Recognizing them as political protesters would mitigate against the tendency to stereotype militias and escalate the conflict.

Based on the understanding of extremism in this thesis, several recommendations can be made about dealing with extremism, and dealing with militias as 'extremists'. Firstly, more research is required which seeks to understand the complexity of extremism. Definitions and classifications need to be revised and expanded. What is required is more sophistication towards the study of extremism and the practice of labeling extremists beyond stereotypes. As Haslam and Turner state, "we must look at issues of politics and intergroup relations that lie beyond a simple-minded taxonomy of deviance that equates extremism and polarized judgment with error. More challenging still, we need to move beyond taxonomy and deviance altogether, to explore a common process that represents, both subtly and accurately, different social realities" (Haslam and Turner 1998: 447). The social reality of movements like militias spells out the perspective in which they form their grievances. As researchers, we must understand this social reality in order to constructively approach extremism. This should not be from a social or political judgment and ideological bias which equates extremism with evil, false and irrational thinking, or criminality, but as different perspectives of the social and political world.

While extremism is a complex phenomenon, there is a tendency to simplify and stereotype extremism and extremists. Militias have a different perspective of legitimacy, but it does not mean that such a perspective should be dismissed. Information on extremists should not be based on assumptions and perceptions surrounding groups that provide only one perspective, leading to mutual stereotyping. Political issues must be distinguished from the extremist styles and beliefs of militias. The way to prevent these tendencies lies in a more careful analysis of extremism and protest, and the nature of militia extremism. Their extremism is fostered by a sense of powerlessness and the perception of procedural justice and government operations, government corruption and cover-ups. The need for more sophisticated and accurate

definitions of extremism is needed, because stereotyping only serves to increase the potential for conflict and the actual radicalization of the movement: “to stereotype every armed militia member as a Nazi terrorist not only increases polarization in an already divided nation; it also lumps together persons of an unconscious garden variety prejudice and the demagogues of professional race hate organizations” (Berlet and Lyons 1995: 24).

Secondly, the tendencies to deviantize, criminalize and use extremism as a weapon against groups like militias needs to be dealt with. These means of delegitimation are indicative of reactions to extremism as something that society needs to “resist and destroy” (Kateb 1984: 181) rather than understanding and dealing with them on the basis of rational inquiry. What the militia movement has demonstrated is that there is a tendency to overreact to the threat of extremists, which is often divorced from the facts, as with the Oklahoma City bombing. The key to approaching extremism is on the basis of caution, not on irrational fears of subversion of democracy and tendencies to repress such dissent. Government policy must be cautious about translating society’s fears into law, and using the law to repress rights and liberties that relate to political expression and participation.

The government hearings held in relation to the militias were designed to support anti-terrorism legislation: to prove the threatening and criminal nature of militias. There is a tendency to translate our fears and perceptions regarding extremists, and particularly militias, into law. Anti-militia training and organization statutes, as well as legal definitions of paramilitary organizations are part of the tendency towards making unpopular beliefs illegal. The reaction to militias as terrorists has been indicative of a misguided approach to extremism. As Laird Wilcox states, “often the worst damage terrorists or extremists inflict on society is the threat society imposes on itself out of fear and overreaction” (Wilcox 1995: A39). As demonstrated with the militia movement, the belief in expanded laws and power of the State to investigate criminals blurs the line between prosecuting criminals and prosecuting political beliefs.

Thirdly, society should encourage moderate expression and challenge the forms of extremism which are dangerous. Leaving political grievances unresolved encourages more extremism and the dangerous tendencies of extremism because “unless society adapts to address these legitimate grievances, the scapegoating will

spread, and right wing populism can turn to violent authoritarian revolt or more towards fascism” (Berlet and Lyons 1995: 24). What this can also mean is that feeling powerless, the militia may develop alliances with other groups, bridging the different movements on the extreme right. However, this is unlikely. Berlet and Lyons further state “the way to disarm the militia movement is to address its real economic grievances, rationally refute its scapegoating and expose the lies and prejudice that its most fanatical members spew” (Berlet and Lyons 1995: 25). If we are to draw up visions of Nazi Germany and the lessons it taught us, one lesson is that “in nations like Germany where access was denied for prolonged periods...the lower strata were alienated from the system and adopted extremist ideologies” (Lipset 1984: 90). The most effective way of encouraging moderate expression is to acknowledge legitimate and valid grievances.

Legitimacy

From the analysis of the case studies, several things can be concluded about governmental legitimacy, militia movement legitimacy, and the process of legitimation.

Governmental Legitimacy

Militias may be a symptom of a ‘legitimacy crisis’, and of the new reaction to a modern authority that is no longer able to be responsive to its citizens. The emergence of the militia movement indicates that legitimacy has been lost to some degree. Militias are important indicators of what could become a problem for the larger society. Militias challenge governmental legitimacy because of the perceived nature and characteristics of modern authority. Their social reality must be understood in relation to actual trends and practices of the State.

The State as a bureaucratic and legal administration has increased its power in the bureaucracy, in methods of control and the lack of visibility which groups like

militias have reacted to. As an actor, the State has become more repressive towards such groups who challenge or threaten legitimacy, based on these tendencies. John Herz, who has written on legitimacy and the modern State, says that

There is a trend towards concentration of power in the executive bureaucracy, a trend which, in term, threatens to initiate the formation of a state within a state, unaccountable to the public or representative institutions, through arbitrary and frequently illegal action, instilling an atmosphere of submissiveness, if not fear and intimidation, that resembles that found in dictatorial and totalitarian regimes (Herz 1978: 323).

The fear of the State as an actor and as an administrative apparatus of control could increase and move from the fringes to the wider society. Observers of the militia movement beg the question – is it paranoid and extreme to fear your government based on these real trends and practices? (Postrel 1995; Dority 1995; Tanner 1995). The modern State has lost its sensitivity to the needs of the polity as one based on values and culture, thus threatening its legitimacy and relying on control: “modern systems of rule see a polity not as a people with a culture seeking together the forms of order and action that will preserve and enhance that culture, but as a mass or collective that is made into a unit of control by propaganda” (Schaar 1989: 22).

The State’s perspective of its own legitimacy must also be understood in relation to the State as a site of social conflict and medium of expression. The State presumes to be legitimate because it represents the status quo, which predetermines the illegitimacy of marginal groups. The State represents rational discourse, whereas the fringes are defined as irrational and thus illegitimate. As Frederick Barnard says, “what is objectively right validly applies to everyone; it rules out legitimate dissent. To legitimize politics in this wholly transcendent manner comes close, therefore to making a mockery of procedural mediation” (Barnard 1992: 668).

The emergence and development of the militia movement is indicative of fragmentation. This fragmentation could increase in degree and cause a greater legitimacy crisis for the government. The answer to understanding the fragmentation and dealing with its manifestations in groups like militias, lies in the recommendation that

As government in its expanding range of functions, comes ever closer to the spheres of primary social existence, the need is intensified for a theory of public administration that will be alive to the social and psychological values and the relationship between political power and cultural associations and groups (Nisbet 1968: 70).

If the government were to address the issue of legitimacy in relation to militias, what should it do? The government cannot just increase its rhetoric of values to appease militias and create governmental legitimacy. The government must change its behaviour and policies to be a 'rightful authority' so that, for example, 'justice' is a matter of prosecuting those responsible for Waco and Ruby Ridge, where the value of 'due process' ends government raids on citizens homes and 'mini Wacos'. These values are related to militia grievances.

Government Behaviour and Policies

If the government recognizes the need for reform on the basis of dealing with the grievances of militias, several observations can be made based on the results of this thesis. Firstly, State power must be assessed in relation to democratic principles, and how it respects the rights and liberties of citizens. Tendencies to overreact and repress marginal groups are reinforced by the State's ability to do so.

Secondly, the administrative practice of the State must change. Bureaucracy must be encouraged to have more open and visible procedures and norms. For example, the realization that 'government secrets' were fostering a culture of paranoia, led to the introduction of the Government Secrecy Act of 1997 to "encourage the nation's bureaucrats to stamp fewer documents secret and to declassify more files for public use," according to a *Los Angeles Times* article entitled "Secrets: A Culture Finds Itself Under Attack." (*Los Angeles Times*, 17 May 1997: A14). This "government demystification" (*Los Angeles Times*, 17 May 1997: A15) is a move towards dealing with "the intensity of conspiracy theories" (*Los Angeles Times*, 17 May 1997: A15) although not attributed in any way to militias. Inadvertently and indirectly, however, this is a positive step in responding to and dealing with groups like militias.

Thirdly, as an actor in a conflict, the State must safeguard against the tendency to overreact to, and engage in an intense and protracted conflict with groups like

militias. To this end, the government must recognize its hypersensitivity to criticism, and appropriately deal with groups not as an opponent that it feels threatened by, but as groups in society that can provide valuable and constructive criticism. It is counterproductive to delegitimize militias as deviants, criminals and extremists.

The government must separate the tendency to use law as a political tool. To this end, terrorism legislation and anti militia legislation which is used to marginalize and delegitimize groups could create more volatile reactions from protesters. Further, the types of anti-militia legislation in terms of organization and training must be carefully analyzed. It can be understood that militia training is threatening, and as a matter of public safety, needs to be closely monitored or even legislated against. However, this has been used to claim that militias are terrorists because neighbours to militias will feel terrorized knowing groups are training with weapons can also be used as a rationale for repressive state behaviour. Anti-training statutes, while constitutional, become ways of criminalizing political behaviour, and can easily lead to problems in enforcing the law based on the perception surrounding intent. In terms of rights to organizing, the militia organization as a political organization is a form of free speech and assembly, and it would therefore be unconstitutional to outlaw them (Polesky 1996).

Law Enforcement Behaviour and Policies

The protest of militias also relates to the trends in law enforcement, and the perception of law enforcement practices, and actual trends of law enforcement as part of the modern State. Just as the State, as an administrative entity is becoming more complex in modern society, so are the means of social control which are “more specialized and technical, as well as more penetrating and intrusive” (Herz 1978: 323). Herz says

With the accelerating technological process advanced technologies of electronic surveillance and data accumulation become available to an increasing number of intelligence and law enforcement agencies which, with or without authorization by the top executive, are tempted to render individuals and groups their victims” (Herz 1978: 323).

This translates into more repressive tendencies by the State as an actor in a conflict towards groups like militias. As Gary Marx states, the police and intelligence bureaus have developed an “interventionist ethos” (Marx 1981: 238) which has increased the probability of violent conflicts with individuals and groups in society:

Apart for the situation factors, the impact of some broad societal trends should be noted. The opportunity for police-citizen encounters that can escalate has increased markedly as industrial society has become more complex and state control has increased. Laws have proliferated and much more is expected of police (Marx 1981: 238).

These trends have been exhibited in how law enforcement has dealt with right wing extremists as criminals, in situations of confrontation. In understanding law enforcement behaviour and policies, it must be understood that agencies like the ATF, and the FBI have an institutional mentality towards extremists as criminals.

Implications about interaction with militias and recommendations about policy and behaviour should be made in terms of the lessons to be learned from Waco and Ruby Ridge and how these agencies treat marginal groups. The following section analyzes the behaviour and policies at Waco and Ruby Ridge, and what recommendations can be made to the government based on the interaction which occurs with extremist groups. This section attempts to deal with law enforcement behaviour and policy recommendations.

Firstly, the situations in which law enforcement interacts with marginal groups must be demilitarized, both psychologically and physically. To this end, for example, the government must “avoid efforts to place federal law enforcement agencies in excessively pro active roles” (Smith, U.S. Congress. Senate. 3 May 1995: 106). Further, there must be a deemphasis on the militarization of law enforcement, because what accompanies this militarization is a zero sum, war-like mentality. What is required is that law enforcement needs to separate the objective acts of law breakers from the subjective view of the criminals they are dealing with. The legal issue must be clear and enforced not on the basis of political persecution. From Waco, it was clear that this militarized situation resulted in orders against deadly force possibly

being ignored, and agency acting irresponsibly, like “cowboys” (Klaidman and Isikoff 1999: 26). The mentality of the conflict was a product of labeling and demonization, which further fostered the belief that it was perhaps ‘okay’ to destroy David Koresh. Further, the tactic of ‘raids’ needs to be reexamined. It was shown that the decision to raid the Branch Davidian Compound was made before exhausting other options (U.S. Department of the Treasury 1993: 134).

Secondly, law enforcement’s first consideration should be whether or not the law is constitutionally and legally being enforced. Further, law enforcement in these situations failed to take into account the religious or political beliefs to better understand how they should behave and enforce the law. The ‘interventionist ethos’ and the need to stage a raid demonstrated to these groups who have survivalist and apocalyptic beliefs that they would be killed by the government they feared, and a conflict situation was inevitable. Only by understanding the political and religious context in which groups and movements behave can we understand how not to antagonize a potentially violent conflict while maintaining the legality and constitutionality of law enforcement objectives. To this end, the objective of law enforcement must clearly be placed above, and differentiated from, agendas of publicity, public relations, and a display of force against extremists for increasing legitimacy of the agencies involved, and the State as a whole. These strategies of legitimation for law enforcement are counterproductive. When such behaviour does occur, sanctions should be enforced and the agencies should be held accountable. Waco and Ruby Ridge demonstrated that the legitimation of the agency was part of the process of delegitimizing the ‘cult’ or extremists who are perceived as soft targets. What is required is that law enforcement needs to foster the institutional belief that legitimation is achieved in the long run by acting responsibly and dealing with mistakes, including exposing improprieties. The process of labeling must be countered with the belief that such marginal groups are also citizens who have rights, including the right to a fair trial, regardless of their objectionable nature and beliefs.

Thus what is also required is a more sophisticated view of groups like militias in a conflict situation. Law enforcement needs to safeguard against dehumanization in conflict situations. It must be said that the FBI and the ATF have moved in this direction since Ruby Ridge, Waco and the Oklahoma City bombing to some extent, demonstrating that the emergence of the militia movement has already affected the

way law enforcement behaves. The FBI has attempted to take a more conciliatory approach to dealing with extremist groups. In the FBI Law Enforcement Bulletin, Duffey and Brantley advocate the initiation of a proactive dialogue of FBI agents with militia members:

Nonconfrontational dialogue also allows for a moderation of any negative stereotypes that militia members might hold toward law enforcement officers. Conversely, such contact should allow law enforcement representatives the chance to gauge and assess the true, or at least unprovoked nature of militia leaders....Since the Oklahoma City bombing, a growing number of law enforcement officials have established regular contacts with militia leaders in their jurisdictions. These contacts have improved understanding and promoted ongoing relationships between leaders of both groups (Duffey and Brantley 1997: 24).

Both the Militia of Montana and the Michigan Militia Corps advocate this kind of dialogue and information sharing, in what John Trochmann would call 'hot spots'. The handling of the Freeman siege was perceived by militias to be exemplary of the cooperation and de-escalation desired on both sides. Further, the FBI also cited "a recent incident in Louisiana...the value of pre-established dialogue became apparent. As the incident unfolded, local militia leaders reached out to their law enforcement contacts to verify the information they received from various sources...and to quell the misinformation and rumours that had spread through elements of the militia community" (Duffey and Brantley 1997: 26).

This demonstrates a positive step and trend of the FBI which should be followed by federal agencies who deal with militias. Further, like the move towards unveiling the practices of government bureaucracy, the FBI has moved towards making the agency more open. In a *San Diego Union-Tribune* article by Larry Copeland, entitled "FBI's customary veil of secrecy parts wide in recent cases," (Copeland, 28 November 1997: A33) the FBI was extremely open about the investigations of the TWA Flight 800 and the 1996 Atlanta Bombings. It was said that "in each instance, federal investigators were prompted by the concerns of the public to lift their customary veil of secrecy" (Copeland, 28 November 1997: A33). The objective was legitimization of the agency: "the posture of the two briefings protected an image of the FBI that was in marked contrast to some of the public relations fiascos that have tarnished the bureau in recent years...public distrust of federal investigative agencies was heightened by the

government sieges at Waco and Ruby Ridge, by the bureaus turning over hundreds of sensitive investigation files to the Clinton White House” (Copeland, 28 November 1997: A33).

Similarly, the ATF has sought to revise its policies and behaviour in light of the Waco incident. Investigations recommend developing effective supervisory training programmes, improving the agencies capacity to perform intelligence operations and reexamine the uses of Special Response teams (U.S. Department of the Treasury 1993: 216) and most importantly, to use all options before resorting to a use or display of force, which was acknowledged as not having been done (U.S. Department of the Treasury 1993: 134).

Militia Movement Legitimacy

The militia movement can also be examined in terms of its legitimacy, and in terms of the negotiation for legitimacy. Instead of discussing the ‘success’ or ‘failure’ of the movement, it is more appropriate to discuss the successful legitimization or delegitimation of the movement. What constitutes legitimization for the movement? As stated previously, the objectives of the militia movement are to affect government behaviour and stimulate policy change, as well as recognition and validation, all of which are the results of successful legitimization.

From the analysis of the Militia of Montana and the Michigan Militia Corps, the main objective of the movement has become one of legitimization. They claim not to want institutional power, or to become part of the status quo. In fact, it could be said that the legitimacy of the movement is contingent on their status as extra institutional political organizations. If the Militia of Montana and the Michigan Militia Corps conform to the ideal of militia, they must always remain extra-institutional, and influence policy or power distribution by being separate from government. Anything to the contrary would affect their legitimate basis for challenging government, and undermine the very reason for their emergence. Thus, success cannot be defined by becoming part of the status quo or the institution, for this would contradict the basis of their legitimacy. They no longer focus on the means to attain ends (the protest behaviour itself), but the ends to be attained (legitimacy). The militias face a dilemma advocating protest behaviour which is valued for its own sake, and behaviour which is

engineered towards achieving an end for the movement. What this also indicates is that these groups no longer have clearly stated objectives, because they want power in the form of legitimacy. This could cause further problems for the legitimacy of the movement because the groups need clear objectives to be treated as valid political actors. Further, the Militia of Montana and the Michigan Militia Corps have set up their protest to be contingent on the illegitimacy of government, which leaves little room for mutual legitimation. That is, the existence and legitimacy of the movement is predicated upon the illegitimacy of government, and if the government starts behaving, then there is no need for the militias. Thus, the impetus is to always find significant problems with governmental behaviour and policies, and thus it is unlikely the militia will disperse because the government is suddenly or gradually recognized as legitimate.

External Legitimacy

To have external legitimacy, the militias must achieve “ideological and value congruence between the movement and the audience” (Jessup 1997: 180). Legitimation of the movement serves as “a collective sanction that gives propriety and authority to a social movement, making mandatory the acceptance of the movement” (Jessup 1997: 177). Because legitimacy is essential for a movement to achieve its objectives, “several scholars show that legitimacy itself is a resource that facilitates mobilization and helps collective action achieve its goals” (Stryker 1994: 903). For the movement, legitimacy plays an important role in the mobilization of and eventual success or failure of collective action” (Walker et al 1991: 21).

The ability of the movement to become legitimated is contingent on the validation or acceptance by the public through mass support. This enables the movement to put pressure on the government to legitimate the militia movement or their grievances, through concession making, acknowledgement or institutionalization.

The militia movement has the potential to attract a wide audience, based on its issues of federal abuse, taxes, big government and gun rights. The very fact that they use the rhetoric of American values as located in the Constitution, Declaration of Independence and the Bill of Rights means that the way they frame their protest may

resonate with Americans. However, the militia movement is constrained by factors that affect its external as well as internal legitimacy.

Firstly, the militias have been severely stigmatized by the Oklahoma City bombing which has indelibly etched militias into the minds of Americans as terrorists. The media, monitoring groups, government and academia continually reinforce this. Unless the way militias are perceived changes, this is likely to continue to marginalize the movement.

Secondly, related to the first point, is that the public perceives that the militias are calling for revolution, not reform. This is largely based on unclear objectives and communication between militias and with militias and the public. As Williams states,

The militia movement, in short, offers a surprisingly sophisticated and elaborate theory of the Second Amendment which tracks much of the thinking of the Framers. Yet modern Americans, horrified by the activity and rhetoric of many militia groups have reacted to this theory with dismissal...many Americans fear that a broad based right to revolution will result in anarchy and civil war (Williams 1996: 30).

Any perceived radicalism will likely alienate support for the movement. The Militia of Montana and the Michigan Militia Corps are very careful about what they advocate in terms of change, especially without mass support to back up claims of revolution. The Militia of Montana are more likely to seek or advocate more radical reform because they are more focused on the government as the target of their delegitimation, while the Michigan Militia Corps is more focused on the public as a means of their own legitimation. The Militia of Montana are more involved in the conflict as one between the government and the group, and therefore the possibility of that conflict escalating, or transforming into a civil war or revolution. The Michigan Militia Corps are more focused on gaining legitimacy from the public; not because they are engaged in the conflict per se, but the conflict has provided them the opportunity for recognition and legitimacy.

Thirdly, the claims by groups within the movement that they are for the rights of all Americans causes legitimacy problems for the militia movement. This is because there is an inevitable comparison of the movement to the civil rights movement, which leads to the conclusion that they are either a legitimate civil rights movement or illegitimate extremist movement. Conceiving the militia movement in terms of civil rights is difficult to reconcile with the precedent established with past protest.

Because the movement is not seen as a sector of society which has been denied representation or power, but rather they are claiming representation for all Americans, they have credibility problems as a protest movement. Coupled with the lack of clear and uniform objectives which can be accommodated, the movement will suffer external legitimacy.

Internal Legitimacy

The matter of internal legitimacy is also an important issue for the militia movement. Internal legitimacy “is the cement which binds the movement together, prevents participants from wandering freely in different directions, establishes organizational discipline, and limits conduct and belief along fixed channels” (Jessup 1997: 177). The militia movement suffers from a lack of internal legitimacy. The Militia of Montana and the Michigan Militia Corps demonstrate that the groups are riddled with problems which damages their credibility. The militia movement has organizational problems that constrain its ability to sustain the movement and develop mass support. The militias are also too suspicious of each other and of outsiders to develop a mass movement. Suspicion and paranoia about infiltration will keep cells apart and suspicious of fellow militia members. To this end, the movement could be delegitimated because it will be seen as a collection of groups imitating each other with no cohesion as a movement or consistency in terms of objectives.

The movement itself is ‘leaderless’. According to Laird Wilcox in an article he wrote in *Newsday*, “like all radical right wingers, militia members are a contentious highly individualist and idiosyncratic lot. They don’t get along with one another, and many tiny militias are splinters from others. One member said that leading the militia was ‘like trying to herd cats’” (Wilcox, 27 April 1995: A39). The movement is too divided, and too competitive for legitimation. Like the Michigan Militia Corps demonstrated with the strategy of ‘differentiation’, they are seeking to prove that they are legitimate not only against authority, but as a militia organization in a movement. This demonstrates that there is a conflict and competition within the movement for legitimacy. With the Militia of Montana and the Michigan Militia Corps, there is also intense competition. The leaders of the two groups disagree with some of the practices of the other because of how it is seen to affect the movement as a whole. As

the most prominent leaders in the movement, they are vying not only for legitimation, but recognition as the most legitimate group in the movement. As a result, there is visible conflict between the Militia of Montana and the Michigan Militia Corps. The MMC berate the MOM for alleged motives of profit, which detracts from the basis of the movement as one based on values and principles for their own sake. The Militia of Montana believe that the strategies of the Michigan Militia Corps in terms of appearing intimidating delegitimizes the movement.

The Militia of Montana do not target any militia group in particular in their newsletters, and instead try to take the moral high ground while seeking to defend themselves against critics like the Michigan Militia Corps:

We have no right arguing amongst ourselves while we are enslaved...there are some who claim that MOM is not effective, but rather promotes hype and paranoia to collect numbers etc. We thought it would be a good time to inform our readers of the few activities we have been involved in, and yes, how MOM has been effective... (*Taking Aim*, 1, 6, 1994: 11).

The conflict between the MOM and the MMC has been based on the way each group is perceived as dealing with 'the enemy'. Both groups have accused each other of being 'agents' for the government because of how they cooperate with law enforcement or even monitoring groups. Tom Wayne believes John Trochmann is an agent for the FBI (Wayne 1999), and he also says that John has accused him of being an agent (*An Open Letter to John Trochmann from Tom Wayne*: np).

The Michigan Militia Corps are more direct about their attacks, and even posted a letter written to John Trochmann on the internet. In this letter, Tom Wayne said "in circulating lies, innuendo and half-truths about me, you are only damaging your own credibility. As for all the Peter Paranoiacs out there and the PAYtriot for profit, I pity you all. You will not win." (*An Open Letter to John Trochmann from Tom Wayne*: np). From this conflict, it appears that the arguments between leaders are based on how strategies and tactics affects legitimacy for the movement.

Further studies could be done on the leaders of the movement and their impact and influence on the movement as a whole, as well as conflict within the movement and how it affects legitimacy.

Legitimacy and Conflict

Militias are engaged in a conflict with the State by virtue of challenging the legitimacy of the State. However, the conflict over legitimacy can be understood at several levels and stages, ranging from a latent conflict to actual violent confrontations. Militias have not escalated this conflict to actual physical violence on a small or large scale. The reasons for this can be discussed further in terms of legitimation, responses from the government and protest directions taken by militias.

The emergence of protest instigates a cycle of legitimation that can lead to a number of responses by the government and the movement, as previously discussed. This must be reexamined in the context of legitimacy. Firstly, in terms of legitimacy, the government can offer concessions, which would require some legitimation of the movement. Secondly, the government can repress the movement, which would result in the criminalization and incarceration of militias. Thirdly, the government can foster the dissipation of the movement through marginalization and labeling. Currently, the militia movement is treated with a combination of repression and marginalization. While this could cause the militia movement to radicalize and escalate the conflict to actual violence, this type of confrontation or escalation of the conflict over legitimacy is unlikely to occur.

Whether or not the conflict escalates is mostly contingent on the direction the militia movement takes. The militia movement can remain moderate, it can radicalize or it can 'give-up'. The movement has responded by remaining moderate at this point in time. It also appears on the surface that the militia movement is in decline. Therefore the possibility of the conflict escalating also decreases as does the ability of the movement to mobilize, obtain resources and support, and above all, maintain legitimacy. Thus, while the issues of movement decline and conflict escalation are intricately related, the literature on social movements lacks "any general theoretical model as to why and how social movements decline" (Jessup 1997: 178) and there is no "adequate definition and conceptualization of decline" (Jessup 1997: 178). Further, more studies are required which examine conflict escalation and social movements.

Although the conflict over legitimacy has not escalated on the surface in terms of any visible confrontation in the past few years, several things can be hypothesized.

Firstly, the movement may have been so successfully marginalized or repressed by the State and ideological state apparatuses that the possibility of continuing the protest against government has become improbable. Further, because the movement has been successfully marginalized, the public is unwilling to legitimize the movement, causing it to decline.

Secondly, the militia movement, in maintaining its moderate position, may be unwilling to escalate the conflict in terms of violence or terrorism because of the importance of maintaining legitimacy as a political movement void of violence and terrorist behaviour. To adopt these strategies or tactics would be too costly for the movement and inimical to its objectives. Further, unless the support for the militia movement increases to where the population fragments to the point of a civil war, the movement lacks the support for escalating the conflict to any large scale.

Thirdly, the movement may be unable to continue the conflict or escalate it because of a lack of resources, organization and internal fracturing. The movement may lack the resources to escalate the conflict in terms of mobilizing against the State with actual violence. Further, the disorganization of militia groups and the inability to sustain a movement, as well as the lack of internal legitimacy from fracturing and infighting may affect the movement's ability to mobilize and sustain the conflict, let alone escalate it.

Fourthly, while the movement may have gained notoriety after the Oklahoma City bombing, it may have never gained legitimacy, in terms of being in the position to make demands and receive concessions or cause significant policy changes. Now that the movement is largely out of the media spotlight, the lack of attention is indicative of a loss of novelty value and popularity, and by implication, an inability to attract members. Although Tom Wayne states that the movement is as popular as ever precisely because the movement is out of the media spotlight, the implication is 'out of sight out of mind' for the rest of the nation as well. If the movement does die out, it is perhaps a testimony to the fact that they did not achieve enough legitimacy to resonate with the values of larger society. A further possibility is that the people attracted to the militia movement may have found alternative avenue of expression, including more mainstream avenues like the Republican Party who has adopted some of the stances shared by militias.

All this being said, militia movement decline and the absence of conflict escalation are not synonymous with conflict resolution. Militia organizations have not ceased to exist, nor does this mean that they now lack conviction about their challenge against the government. The possibility is also that they are continuing the protest on a small scale, or 'underground.' The grievances which have led to the emergence of the movement in the first place have still not been resolved, and create the potential for continued and protracted conflict in the future. The danger of repressing or marginalizing groups with legitimate grievances is to possibly create a volatile situation. In this situation, grievances may fester even though they appear to dissipate for the meantime. Thus the underlying issues which led to the conflict in the first place have not been addressed. In order to resolve this conflict at any level, we still need to learn why the movement emerged in the first place, how government behaviour has modified or reacts to such movements, and what this means for future conflicts with social movements over government behaviour and legitimacy. This thesis was an attempt to answer such questions.

Thus, the appearance of movement decline also does not mean that the conflict is resolved and that it will not manifest itself at a later time. It does appear that what would be required for the conflict over legitimacy to gain further momentum or for the conflict to escalate is another catalyst to re-ignite the conflict – another Ruby Ridge or Waco - and militias might then resurface in the national attention.

While we can say that 'only time will tell' with the militia movement and the conflict over legitimacy, this conflict at any level highlights several key issues about government behaviour and the emergence of protest movements. In order to deal with this conflict, several approaches to militias should be adopted. Firstly, the government needs to recognize this is not a zero sum conflict. The task of government should be to adopt a more conciliatory perspective to prevent further conflict escalation. The perception that there is no compromise is based on the belief that the movement rejects the legitimacy of the government and therefore the government cannot legitimate the movement. This belief, therefore is that the options available to the government and the movement are mutual legitimation or delegitimation. However, the legitimacy militias are challenging is based on governmental output, and therefore it is not a rejection of the legitimizing principals and norms. Both sides should recognize the possibilities of mutual legitimation. It is a negotiation of legitimacy for both parties,

and a middle ground can be found, provided the government can assess the militia movement with different tools, provide a political forum for discussion, and separate the objectionable beliefs and behaviour from the real political issues.

Secondly, more information is required which is based on a rational and objective approach to protest movements like militias, and which challenges presumptions and stereotypes. It is the use of stereotypes which exacerbates the conflict over legitimacy. The complexity of extremism and the modern State, and the simplicity of dealing with militias in terms of stereotypes can only be attacked by information which challenges these perceptions and practices.

Thirdly, a more open and exposed way of allowing citizens to view government operations and procedures should be considered. This can be addressed by reassessing legitimate grievances that have not received adequate attention or have not been resolved, such as Waco and Ruby Ridge.

Final Word: Waco and the Militia Movement

Recently, the debate surrounding Waco and 'anti-government' groups like militias has resurfaced on the political agenda. During the first week of September 1999, six years after the siege at Waco, FBI Director Louis Freeh made a statement which acknowledged the use of two pyrotechnic tear gas canisters that were fired into the Branch Davidian compound (Isikoff 1999:30). It seems fitting to close this thesis discussing the latest revelation regarding Waco, and the implications the FBI disclosure will have on the militia movement. In order to understand and deal with the militia movement, and the dynamics of protest, right wing extremism and legitimacy, the debate and issues surrounding Waco need to be revisited. At this point in time, it is the most effective and necessary way of dealing with the rallying cries of the movement and other anti-government groups, and the relationship between government, law enforcement, media and monitoring groups. This also brings us full circle to the origins of the movement and the implications for its future.

The rallying cry of the militia movement has been that of Waco, which was seen by militias as a larger version of Ruby Ridge, and exemplary of how law enforcement treats citizens every day. This anger was not only focused on the behaviour of the

ATF and the FBI during the siege, but the aftermath. For the militia movement, the perception of the way the issue was handled has caused just as much damage, if not more damage, than the behaviour during the raid itself. The militias perceived that these hearings were ‘white-washes’ and cover-ups. The perception of a conspiracy and the lack of justice in dealing with the events provided the basis for the protest by militias against this type of domination and control that they were witnessing. The issue of Waco set the tone of the legitimacy conflict for the militia and the government, and law enforcement. In order to legitimate itself and to prevent legitimization of antigovernment groups and their criticism from becoming mainstream, evidence was withheld or disappeared, and the hearing on Waco (U.S. Congress. House. 28 April 1993) demonstrated that the government would reinforce the institutional legitimacy of the agencies and delegitimize any grievances pertaining to the handling of the raid.

As a result, Waco has fueled anger from individuals and groups, ranging from the American mainstream, including public officials, to the most extreme fringes of society. At the most extreme, however unjustified his actions, Timothy McVeigh’s anger and motivation for bombing the Federal Building in Oklahoma City was tied to the issues surrounding Waco. Timothy McVeigh’s lawyer has stated that “had there been an honest investigation and inquiry into Waco in 1993, and there had been justice or the appearance of justice, then clearly there would have been no Oklahoma City bombing” (Klaidman and Isikoff 1999: 26). The need to explore this connection was immediately rejected because of the belief that such an exploration might be seen as justifying Timothy McVeigh, and by implication, the militia movement. In a *Los Angeles Times* editorial entitled “Congress Must Probe Frightening Militias” (*Los Angeles Times*, 23 May 1995: 6), the editor ridiculed the calls by Newt Gingrich to explore Waco to understand the militia movement and their perceived connection to the Oklahoma City bombing:

An act of domestic terrorism as hideous as the April attack clearly warrants the keenest attention of Congress; immediate hearings – including examination of possible militia involvement – would be a logical starting point. Yet instead of dealing with the subject at hand, House Speaker Newt Gingrich (R-Ga.) proposes to revisit the controversial 1993 federal raid on the Branch Davidian compound in Texas. How does that address the problem of violence prone militia members? (*Los Angeles Times*, 23 May 1995: 6)

That is precisely what is required to deal with and understand the militia movement and prevent further protest and violent interaction. To address Waco is to address the anger and fear over the excessive use of force against a group, however that group is perceived. It helps explain the fear militias have towards the government and their protest behaviour. What is clear from the examination of the militia movement is that there is a clear dissociation of legitimacy with anything labeled as extremist, deviant and criminal. This relinquishes the responsibility of government to deal with these groups in a political manner, and justifies a repressive response to groups or individuals that are perceived as threatening in a number of ways.

While the protest has mostly come from groups like militias who have endeavoured to keep the issue on the political agenda, many journalists have also called for further investigations or raised the civil liberties issues surrounding Waco. The actions of a few freelance journalists “sympathetic to the Davidians” (Isikoff 1999: 30) has led to the latest exposure. According to one newspaper article, “last year, freelance journalists....petitioned the Texas Department of Public Safety – the agency that supervises the Texas Rangers – to inspect the Waco evidence buried in its storage lockers” (Isikoff 1999: 30). Two important things were discovered. Firstly, that incendiary devices were used during the raid, and secondly, “that a handful of soldiers from the U.S. Army’s supersecret Delta Force may have done more than just observe the operation, as had been previously acknowledged – a discovery that was sure to send conspiracy buffs into a furor” (Isikoff 1999: 30). Implicitly, all of these things have led to the latest disclosure. Prior to this disclosure, when the FBI was asked if any incendiary devices could have caused the fire, the unequivocal answer was ‘no’. Now, when asked why this information has only now surfaced, “the bureau insists...no one ever asked” (Isikoff 1999: 30) or that The Justice Department was informed and did not listen (Isikoff 1999: 30). The problem remains that several key pieces of evidence are missing. The mere perception of impropriety and cover-ups have created a situation of fostering conspiracies.

In the past six years the issue of Waco has become a political issue associated with the militia movement. In fact, it is almost as though one is not mentioned without the other. Waco is not discussed in relation to the reaction or grievances of the militia movement, but in a manner consistent with the delegitimation of the movement. The

latest revelation has demonstrated that the government and the FBI believe that they have a political bomb waiting to explode. The government, law enforcement and monitoring groups, and the media have attributed the volatility of the situation to 'anti-government' groups who will use this information to further their cause. The perceived implications for further militia organization and protest are enormous, according to the media, government and monitoring groups. One article entitled "FBI Waco disclosure could energize" by Michael Hodges, stated that the latest disclosure "has inflamed anti-government groups who have long used the deaths there as a rallying cry" (Hodges, 4 September 1999: A12). In this article John Lunsford, who belongs to the Coalition for Human Dignity monitoring group stated that "I believe these groups will be emboldened...they will be able to say 'I told you so'" (Hodges, 4 September 1999: A12). Another monitoring group believes that this will spark further organizations and alliances between 'hate groups': "it is too early to tell what will happen. But this could mark a new round of organizing for a movement that had begun to run out of steam" (Hodges, 4 September 1999: A12). There is an attempt to separate the mainstream concerns from the militia movement concerns, for the fear that the movement may be validated. As a result, there is a belief in government and monitoring groups that any further investigations should be approached in a particular way. The perception is that by uncovering these facts, the damage is that "a drawn out inquiry may only inflame 'conspiracy nuts'" (*Newsweek* 13 September 1999: 4). If this is now a mainstream issue, the government, media and monitoring groups believe efforts should be made to distinguish between the mainstream anger and militia anger. There is now "outrage from the mainstream" which "could lend credence to efforts by extremists groups to revive Waco as a call to arms, experts said" (Hodges, 4 September 1999: A12).

However, whether or not it is mainstream or extreme, the issue of Waco has resurfaced and has presented an opportunity for the militias to act through the mainstream to resolve their grievances. Janet Reno was "furious" to find out she was not informed, and has subsequently called for a special counsel "to sift the ashes of the Waco fiasco and answer the big question: did federal agents disobey orders against using deadly force, and then lie about it?" (Klaidman and Isikoff 1999: 25). Further, members of Congress, particularly Republican members of Congress have taken up the cause and have sought to establish an independent investigative team (Hodges, 4

September 1999: A12). The issue is now also taking the form of Republicans versus Democrats, which may also create the opportunity for militias to channel their anger through Republican representatives.

Also, for the government, the latest disclosure is an opportunity to resolve some grievances of antigovernment groups, indirectly, and therefore conveniently. This creates an enormous opportunity for dealing with the militia movement in a political forum based on the grievances that can be addressed by the government. The latest disclosure should be seen as an opportunity for conflict resolution with the militia movement, and a way to resolve the basic issues that have served as a rallying cry for the group.

From the evidence of this thesis, it is not only necessary that independent investigations be conducted and the information be open for the public, but also it is necessary to resolve the issues that underlay the grievances of the movement. Most importantly, this inquiry would open for political discussion the issues and concerns of the militia movement. The very act of having more open hearings and the release of information would serve this end. The re-examination of Waco will serve to de-escalate the militia movement in the long term. In the short term, the militia movement may increase their protest.

If the findings suggest that it is appropriate, this type of inquiry could lead to the reform of law enforcement practices, hold government accountable for its actions, and indicate a move towards open political discussion with nothing to hide. It would create the appearance of a government that 'fixes its own problems' and therefore remove the basis for the existence of militias as a 'watchdog'. This could be the bridge for the restoration of legitimacy for the government, in the eyes of many members of the militia movement, and for recognizing the legitimate and valid grievances of the militia movement which have evolved from the issue of Waco. In order to be able to do this, the militia movement must be studied with new perspectives. Even more to the point, this will allow further discussion regarding right wing extremism, protest and legitimacy, the process by which we come to understand and deal with groups like militias, and ultimately to understand the nature of relations between society and government. This thesis has attempted to stimulate further debate and inquiries into these areas, and to provide a perspective that would demonstrate the possibility of doing so.

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APPENDIX ONE: PREPAREDNESS EXPO ADVERTISEMENT

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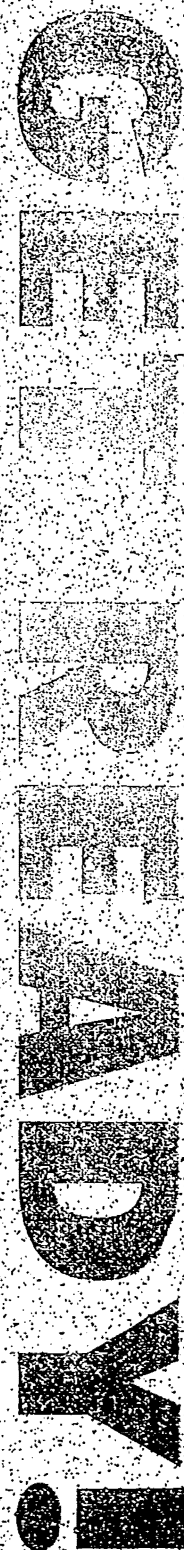
Dr. Horowitz is a Harvard graduate, independent investigator, and an internationally known authority in public health and AIDS education. He is the author of the book *Emerging Viruses, AIDS & Ebola - Nature, Accident or Genocide?*



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APPENDIX TWO: COVER OF *TAKING AIM* NEWSLETTER

"A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed." - The Second Amendment

THE MILITIAMAN'S NEWSLETTER

TAKING AIM



VOLUME 2, ISSUE NO. 8,
NOVEMBER, 1995

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THE "GRAY DOMAIN"

CONVERTING MILITARY INTO LAW ENFORCEMENT

"THE REVOLUTION IN MILITARY AFFAIRS"

During the months of July and September of 1994 the National Defense University (NDU) and the Strategic Studies Institute, (SSI) U.S. Army War College, published two very important papers titled Peacemaking, Peacekeeping and Coalition Warfare: The Future Role of the United Nations and The Revolution in Military Affairs and Conflict Short Of War. Neither of these papers represent a policy of the Federal Government, or the military. However, they are suggestions and recommendations for future warfare and conflicts.

In this issue we will look at Peacemaking, which was the result of a conference held at, and co-sponsored by, Norwich University, the oldest private military college in the United States. Attendees included: General Al M. Gray, USMC (Ret.); Major General John C. Ellerson, U.S. Army; Major General Richard E. Carr, USAF; Major General Anthony C. Zinni, USMC; Major General John O.B. Sewall, U.S. Army (Ret.); Colonel Timothy H. Donovan, U.S. Army (Ret.); Ambassa-

dor Alexander Borg Olivier, United Nations; Dr. John Limbert, U.S. State Department. Attendees from Norwich University included: Professor of Political Science Henry V. Muse; Associate Professor of Psychology Milton A. Hammond; Professor of Military Science Colonel Craig R. Lind, U.S. Army and Professor of Naval Science Colonel Arthur S. Weber, USMC.

You can see, that this all-star cast carry some clout when it comes to policy of both the military and civilian side of the government.

In this issue we will be reviewing the subtopics within the chapter on The Evolution of Regional Security Apparatuses for the Gray Domain: Enforcing International Law and Order, by Leonard Sullivan, Jr., National Security Consultant.

I will be inserting editor notes throughout this discussion. All emphasis are mine.

"Introduction

This paper suggests that evolving global security efforts should

focus on the unique 'gray domain' between high-intensity 'war fighting' in the archaic NATO sense and 'peacekeeping' in the classic UN sense of lightly armed, virtually unopposed 'cops on the beat.' It argues that neither unilateral American forces nor ragtag volunteer UN forces can provide the regional security necessary to encourage political and economic prosperity. I do not believe we can evolve an appropriate global post-Cold War security structure WITHOUT better understanding the nature of the central threats the world now faces."

(Editor's note: This introduction sets the stage for the entire chapter on creating a "world police force" under regional government within a world government.)

"New Disorders Do Not Match Old Orders

Virtually every region of the world is experiencing some form of disorder which detracts from inter- and intra-regional stability and diminishes aspirations for both personal and collective prosperity."

APPENDIX THREE: MICHIGAN MILITIA CORPS HOMEPAGE

Michigan Militia Corps

<http://militia.gen.mi.us>

Michigan Militia Corps

Kent county - 15th Brigade, 5th Division

Welcome to the official Michigan Militia Corps home page.

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, among these are Life, Liberty, and the pursuit of Happiness." - Declaration of Independence

"A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed." - Second Amendment to the Constitution for the United States of America

"Every person has a right to keep and bear arms for the defense of himself and the state." - Article 1, Section 6 of the Constitution of The State of Michigan

"A well regulated militia, composed of the body of the people, trained in arms, is the best most natural defense of a free country..." - James Madison

"A militia, when properly formed, are in fact the people themselves... and include all men capable of bearing arms..." - Richard Henry Lee

"I ask, sir, what is the militia? It is the whole people except for a few public officials. To disarm the people is the best and most effectual way to enslave them." - George Mason

What is the militia? According to The United States Code and the Michigan Compiled Laws, the militia is everyone in this country between 17 and 45 years of age!

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APPENDIX FOUR: MILITIA MOVEMENT SLOGANS ON BUMPER
STICKERS

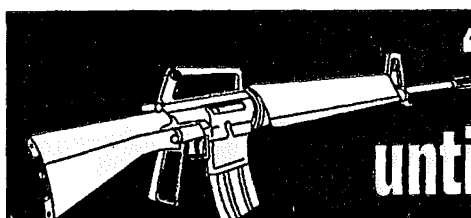


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Thomas Jefferson

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TO THE NEW WORLD ORDER**

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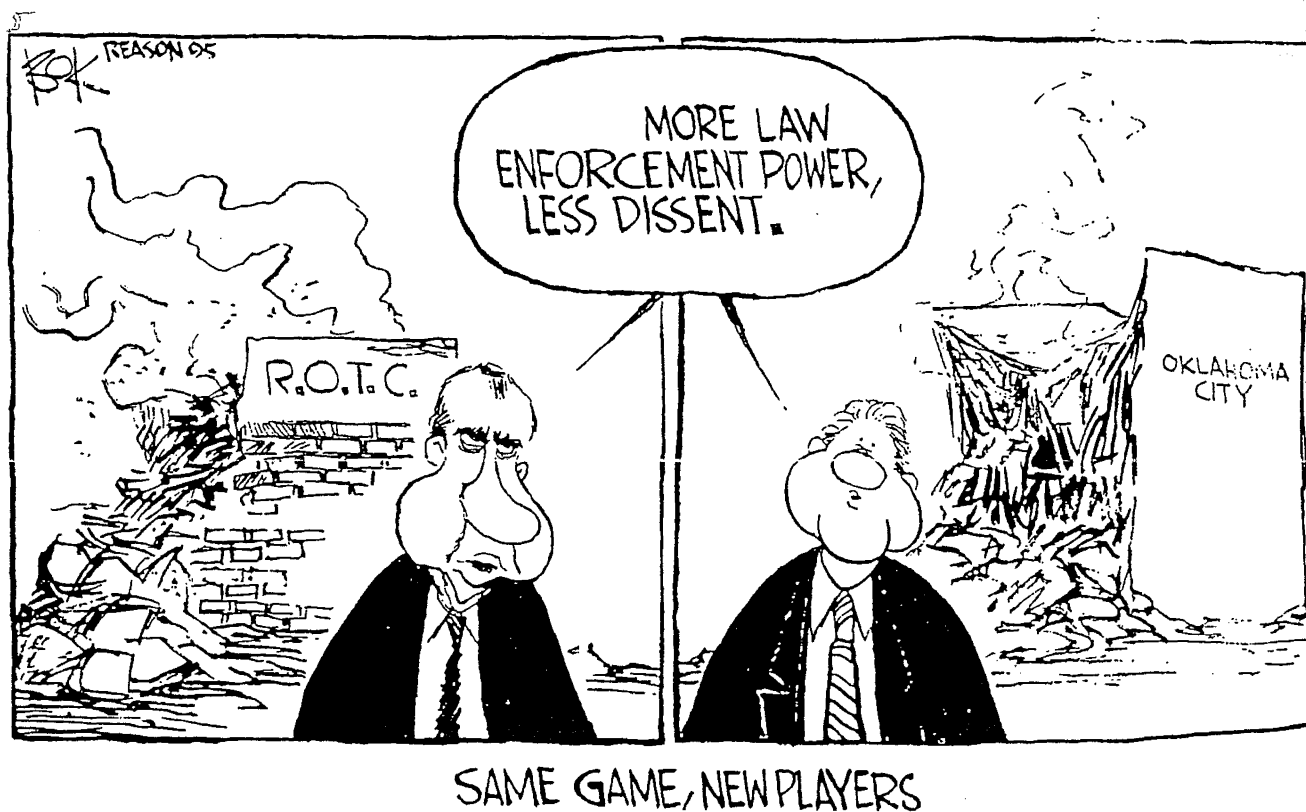
**Fear The Government
That Fears Your Gun**

RG-064

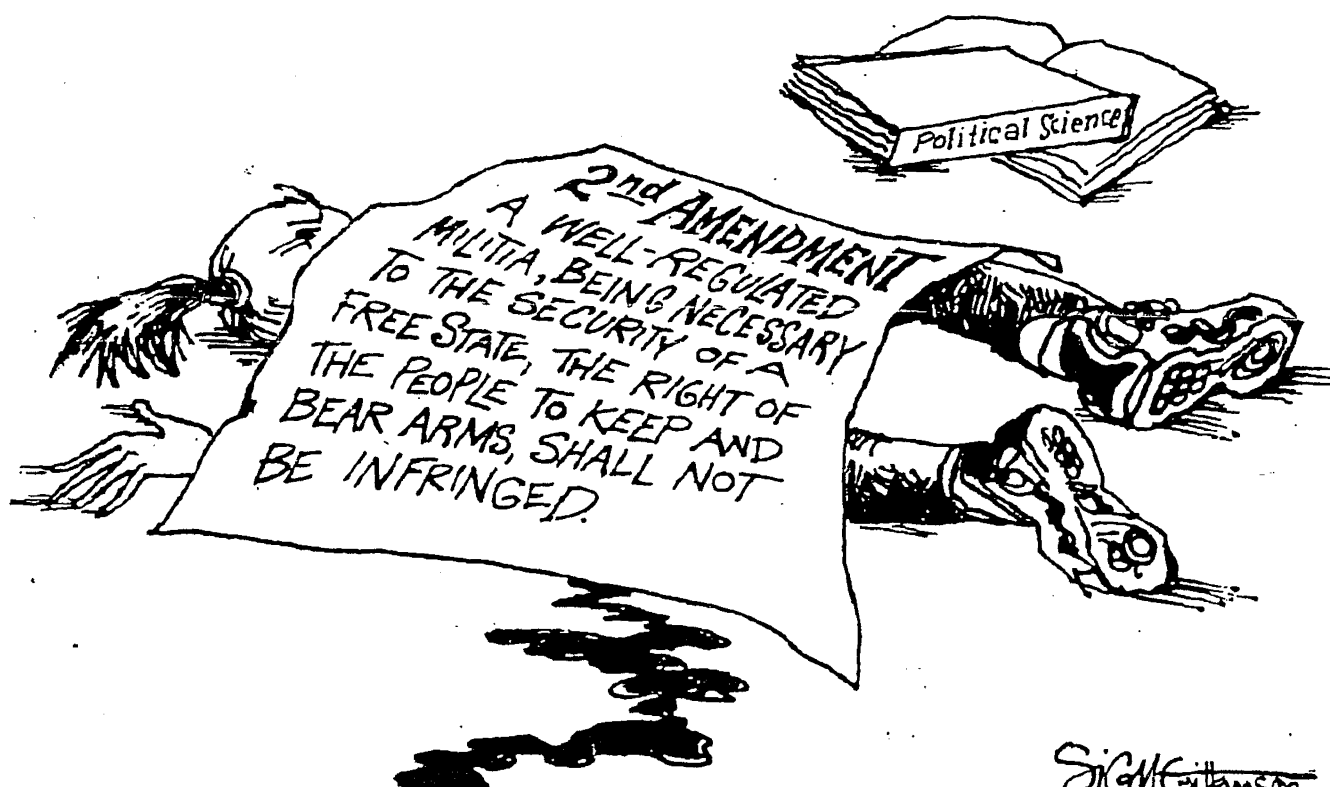
LIBERALISM

THE ROOT OF ALL EVIL

APPENDIX FIVE: POLITICAL CARTOONS



President Nixon proposed legislation with the intention of quelling anti-Vietnam protest, of which Clinton supported at the time (Adams, 30 April 1995). Now that Clinton is President, the same philosophy is applied: more law enforcement to deal with anti-government dissent.

Another View*Signe Wilkinson/Philadelphia Daily News*

This cartoon could be interpreted to say that the debate about gun control is largely an academic one of Second Amendment rights which shrouds the real issues at hand, such as school shootings. This perspective demonstrates that gun control advocates seek to focus on the consequences of the lack of gun control, rather than the debate about rights.



Prior to the arrest of Timothy McVeigh, immediately after the bombing, the media made assumptions about the bombers, and there was a reliance on stereotypes of probable terrorists. Middle Eastern terrorists became responsible for the bombing, which had severely damaging consequences for the Arab-American community. In Kroninger's opinion (1995:8), "In some of the most irresponsible media coverage in recent memory, the networks ran with stories implicating Arabs or Islamic fundamentalists or Middle Eastern terrorists. There was absolutely no factual basis for these reports; it was just vicious, bigoted, race-mongering." Arab-Americans were harassed, especially in Oklahoma. Kroninger says "they suffered name calling and death threats and vandalism. One refugee from Iraq had a miscarriage after someone in a passing car threw an object that shattered her living room window" (Kroninger 1995:8). The shock that the terrorism was perpetrated by Americans shattered the assumptions regarding the immunity of America to domestic terrorism committed by Americans.